

SENATE—Friday, September 14, 1990

(Legislative day of Monday, September 10, 1990)

The Senate met at 9:15 a.m., on the expiration of the recess, and was called to order by the Honorable ALAN J. DIXON, a Senator from the State of Illinois.

PRAYER

The Chaplain, the Reverend Richard C. Halverson, D.D., offered the following prayer:

Let us pray:

Thus saith the Lord, Let not the wise man glory in his wisdom, neither let the mighty man glory in his might, let not the rich man glory in his riches: But let him that glorieth glory in this, that he understandeth and knoweth me, that I am the Lord which exercise lovingkindness, judgment, and righteousness, in the earth: for in these things I delight, saith the Lord.—Jeremiah 9:23, 24.

Eternal God, no one ever sacrificed his or her greatness by glorifying the Lord. Moses, Joshua, David, Isaiah, Jeremiah, the writers of the New Testament gospels, Paul, all found their greatness, their fulfillment in their relationship with You. Help us to see, gracious Lord, that no one sacrifices his or her ultimate potential in submission to Thee. As the prophet Jeremiah exhorts, let us not glory in the gifts, talents, capacities God has given us. But let us glory in our knowledge of God the Giver, knowing then that all of our gifts and talents will be maximized.

We pray this in the name of Jesus who promised life abundant. Amen.

APPOINTMENT OF ACTING PRESIDENT PRO TEMPORE

The PRESIDING OFFICER. The clerk will please read a communication to the Senate from the President pro tempore [Mr. BYRD].

The legislative clerk read the following letter:

U.S. SENATE,
PRESIDENT PRO TEMPORE,

Washington, DC, September 14, 1990.

To the Senate:

Under the provisions of rule I, section 3, of the Standing Rules of the Senate, I hereby appoint the Honorable ALAN J. DIXON, a Senator from the State of Illinois, to perform the duties of the Chair.

ROBERT C. BYRD,
President pro tempore.

Mr. DIXON thereupon assumed the chair as Acting President pro tempore.

RESERVATION OF LEADER TIME

The ACTING PRESIDENT pro tempore. Under the previous order, the leadership time is reserved.

MORNING BUSINESS

The ACTING PRESIDENT pro tempore. Under the previous order, there will now be a period for the transaction of morning business, not to extend beyond the hour of 10:15 a.m., for a discussion of CAFE standards, with the time to be equally divided and controlled by the Senator from Nevada [Mr. BRYAN] and the Senator from Michigan, [Mr. RIEGLE], and with the Senator from Massachusetts [Mr. KERRY] to be recognized for the first 10 minutes of Senator BRYAN's time.

Mr. McCAIN addressed the Chair.

The ACTING PRESIDENT pro tempore. For what purpose does the Senator rise?

Mr. McCAIN. I ask unanimous consent to speak for just a few minutes until the arrival of the scheduled speaker.

The ACTING PRESIDENT pro tempore. Is there objection to the unanimous-consent request of the Senator from Arizona?

Mr. RIEGLE. Reserving the right to object, is it on this topic?

Mr. McCAIN. No.

Mr. RIEGLE. Unless it is truly urgent matter, I think we need to use the hour between now and the time of the cloture vote, unless the cloture vote is moved, to deal with the topic.

Mr. McCAIN. It is my understanding from what the Chair just said that Senator KERRY will be the first speaker. I believe we are waiting.

Mr. BRYAN. If I might, Mr. President—

The ACTING PRESIDENT pro tempore. For what purpose does the Senator from Nevada rise?

Mr. BRYAN. The Senator from Nevada rises to respond to an inquiry raised by the distinguished Senator from Arizona as to the schedule of Mr. KERRY.

The ACTING PRESIDENT pro tempore. The Senator from Nevada is recognized for that purpose.

Mr. BRYAN. I thank the Chair.

Responding to my good friend from Arizona, Senator KERRY's office called us saying he would not be able to be here at this time. It was the thought of those involved in processing the bill that we would go to the debate with 30 minutes allocated to each side, and the

time schedule for the vote on the cloture motion is at 10:15 a.m.

So if we yield the floor, then in effect we have invaded the time Senator RIEGLE and I have.

The ACTING PRESIDENT pro tempore. Is there objection to the unanimous-consent request?

Mr. McCAIN. I withdraw the request.

Mr. RIEGLE. Mr. President, I say to the Senator from Arizona, if we get an understanding to move the time of the cloture vote back 15 minutes, we can certainly accommodate his requirement.

The ACTING PRESIDENT pro tempore. The Senator from Michigan is recognized.

MOTOR VEHICLE FUEL EFFICIENCY ACT

Mr. RIEGLE. Mr. President, I arrived a little late in that discussion, so I do not know exactly what all was said prior to my arrival on the floor. But now that we are in the 1-hour period leading up to the time of the cloture vote at 10:15, I think it essential that we move into discussion of some of the items that have been raised yesterday that I think are inaccurate and I think need to be answered.

One of the key issues in that area has to do with the question of how much fuel economy can actually be achieved, and are the targets set forth in the Bryan bill actually realistic given what we know of technology and what outside experts are telling us.

If you start down the list of expert witnesses who have assessed that and you start with our own Secretary of Energy, Mr. Watkins, he indicates that he is in strong disagreement with those estimates. So is the Secretary of Transportation, Sam Skinner. So you have the two principal Cabinet officers in this area with the administrative authority, as well as the great army of people who work with him in that area, who dispute those assessments.

In fact, the Office of Technology Assessment has estimated that the best achievable gains, with existing technology, by 1995 would be somewhere between 6 and 10 percent. So they are acknowledging that there is some room for improvement, and I acknowledge that, but not anything close to the levels mandated in this bill.

● This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.

The Government Office of Technology Assessment says that by the year 2001 we can anticipate as much of an improvement as somewhere between 12 and 21 percent, but certainly nothing close to the 40 percent that would be mandated by this bill.

If you take some work done by researchers from Harvard and Brookings Institution, they have projected still even a lower improvement figure. They say 6 percent by 1995 and 18 percent by the year 2001. In fact, even the author of the study that is cited by the supporters of the bill later modified his own conclusions to state that only a 3 to 7 percent improvement was possible with existing technology by 1995, and a 19 to 31 percent improvement was possible by the year 2001. So even that person, who is held out as the authority for this amendment, has sharply backtracked from what he has said.

Also, some have argued that safety problems that would be caused by downsizing, shrinking the cars to make them get the higher mileage, could be dealt with by the expanded use of air bags and passive restraints. That is just not so.

The notion that the wider use of air bags can offset adverse safety effects of downsizing is plain wrong. Half of all of the auto fatalities occur in accidents involving side impact or rear impact or rollovers in which air bags are really not very helpful. They are much more designed for the kind of head-on collision, and certainly there are many of those. But at least half of the accidents cannot be properly safeguarded against, unless you have a car of sufficient structural strength and size to give you those margins of safety.

So whenever one thinks of the auto industry's historical receptivity to safety regulation, in the insurance company data, which is separate and apart, they have a view strongly adversarial to the auto companies, because they want to have the safest possible cars so they do not have a large number of injuries of customers of their insurance company; so they want to have the most accurate data. They told us, frankly, that smaller cars are more dangerous. Our common sense tells us that as well.

Another area that I think was not sufficiently dealt with yesterday has to do with the issue of what the cost of this is, just the cost of trying to do this, of the Government handing a mandate out there and then walking away and leaving it to the industry to try to come up with the money and find a way to try to meet what is really an impossible standard.

It would require, just on the capital side, if this amendment were to pass, retooling virtually all of the big three American companies, assembling engine transmission and stamping

plants over the next 7 years or so. The best estimates on costs that we can get for that is a figure of about \$95 billion.

I have no idea where that money is going to come from, because that major industry is short on capital like every other industry in the country is these days, and also the Government itself is. So the notion of where this \$95 billion of extra capital will come from—it is just not there.

In fact, the combined annual capital expenditure budget of the entire industry right now is only \$7.5 billion a year. And they are not skimping. They are putting all of the capital investment in they can. They have to do it in the face of tough foreign competition.

If the most they are able to assemble in the way of new capital investment now to meet other ongoing requirements is \$7.5 billion a year, how is an additional \$95 billion to be found that would have to be invested on top of that over the period of the next several years? That would mean that annual capital expenditures would have to be increased really two or three times over what they presently are for each of the next 5 to 7 years. So it is a totally unrealistic capital requirement.

We know that interest rates are higher, and we have pressure on a savings pool in the country that is too small as it is. But it is the kind of impractical thing that Government often does. We reach for a desired goal, and we put a mandate out there, and we do not provide the resources to meet it, and then we are surprised when it creates a chaotic effect that was not properly anticipated.

So the companies today have neither the cash on hand nor the earnings flow to come in to fund these kinds of enormous capital requirements that would be new and add-ons. In fact, they would have to run big operating losses in order to come up with the money to try to meet these Government-imposed requirements. That would be very difficult. In fact, the interest rates that would have to be paid, even if they get the money, would be exorbitant.

So you put the industry in a downward financial spiral, which is very difficult as it is, because of all the factors we are aware of.

On top of this, we now have, I think, an emerging pattern of evidence that we are moving in the direction of a recession. We may be in one. We are sliding down that hill, and we are not quite sure at what rate or how far it might go. You lay on those macroeconomic circumstances as well, and there is probably not a worse time for us to anticipate coming in with the Government mandating a new set of enormously expensive requirements than would be true at the present time.

One other thing, and then I will yield the floor and reserve my time for now. Yesterday, much was said about the wonderful benefits that could be achieved with these mandated increases in mileage efficiency with respect to the impact on the environment, and that we could end up having a major impact on preventing global warming, the emissions going into the environment and warming the upper atmosphere. That is just not true. That is just not true.

Some of my best friends in the body here yesterday were peddling that information, and the facts are just wrong. I want to put the facts on the record.

Carbon dioxide emissions, which is what was being talked about in global warming, from U.S. cars and trucks combined, account for only 2.3 percent of the worldwide greenhouse emissions; that is the total. So that is where we start from at the present time.

The Office of Technology Assessment has estimated that even if the 40-mile-per-gallon target were met that is in this bill, that would reduce the U.S. vehicle portion of global greenhouse gases by only four-tenths of 1 percent by the year 2010, so we would have less than half of 1 percent improvement 20 years from now.

That is how material this is from the point of view of giving us some big dividend with respect to global warming, and it is nonsense. That is a red herring issue, and it is thrown in here to shore up what is a weak set of arguments on the basic facts of this amendment. The amendment does not make sense in and of itself for the other reasons that were cited yesterday. But to come along and try, in an environmental improvement argument, to dress it up and make it look like more than it is is just a phony argument.

I want to just say it again because the data is out there to be looked at. The carbon dioxide emission from U.S. cars and trucks account for only 2.3 percent of the worldwide greenhouse emissions, and, if this 40-miles-a-gallon target is met—and this legislation is mandating it—it would mean that there would only be four-tenths of 1 percent improvement by the year 2010, which is 20 years away. So do not let anybody be under the misapprehension that, if you buy this package, you are solving the greenhouse problem, because that is just not so.

As I say, I think that is a false argument; I think it is thrown in here to try to dress up this situation and make this package look better than it is.

Now, I just finish with this: It is not my practice normally to proceed with filibusters or lengthy discussion on motions to proceed. The problem, however, is to bring this issue up with

all of its complexity this late in the session under these kinds of circumstances where it cannot be considered in the context of an overall national energy strategy or policy; it is being looked at as a single ad hoc item. On the margin, I think it is not the way to proceed and is going to do tremendous damage to the industry and to our national economy.

So I think it is very important, if this issue is going to be taken up, it has to be looked at in a broader context and there will have to be other amendments offered, and they will be offered. If we want to save energy now and not 10 or 20 years from now, there are things like reimposing the 55-miles-an-hour speed limit to immediately save energy. I do not see the advocates of the bill calling for that. They want to save energy but not today in ways that we know work.

So we have to discuss those issues, we will have to present those issues, and we will have to vote on those issues and decide, and perhaps over a period of a week or two or three we can craft some kind of ad hoc energy policy here with the series of debates and votes on those kinds of issues.

Frankly, I do not think this is the time and place to do it. I think we have other things to do. We have the budget summit coming, and there may be energy tax considerations in that package. We have no way of knowing. So I think we ought to put the entire energy package comprehensive strategy issue over until the early part of next year, put all the issues on the table, such as CAFE as one of the issues, and then decide in some intelligent fashion what constitutes a wise blend of national energy policy.

With that, Mr. President, I yield the floor and reserve the remainder of my time.

The ACTING PRESIDENT pro tempore. Who seeks time? The Senator from Michigan yields the floor.

Mr. KERRY addressed the Chair.

The ACTING PRESIDENT pro tempore. The Senator from Massachusetts.

Mr. KERRY. Mr. President, are we operating under controlled time?

The ACTING PRESIDENT pro tempore. We are operating under controlled time. Who yields time to the Senator from Massachusetts?

Mr. BRYAN. Mr. President, I am happy to yield to the Senator from Massachusetts. I believe he indicated he needs 5 minutes.

Mr. KERRY. That will be fine.

The ACTING PRESIDENT pro tempore. The Senator from Massachusetts is recognized for 5 minutes.

Mr. KERRY. Mr. President, I thank you and I thank the distinguished Senator from Nevada.

Mr. President, I rise in support of this legislation. I listened to the distinguished Senator from Michigan. I

would disagree with him that this is being approached in an ad hoc fashion. This legislation has been on the floor previously. Moreover, it was very much a part of the original Clean Air Act debate, and many of us believed very strongly it belonged in the Clean Air Act. For various reasons, we separated it from the Clean Air Act, but it is not an issue new to the deliberations either in the committees of jurisdiction or in the Congress as a whole.

By increasing the corporate average fuel economy standards the so-called CAFE standards, we as lawmakers, will be taking the biggest and most immediate step we can in conserving oil, and reducing our foreign oil dependence, eliminating air pollution, and preventing global warming.

In January 1989, I introduced my first legislative initiative of the 101st Congress—S. 57, an air pollution reduction bill which included the Motor Vehicles Fuel Conservation Act of 1989. This legislation was designed to conserve fuel and reduce carbon dioxide emissions by increasing the corporate average fuel economy standards. In the past year and a half, numerous approaches to CAFE have been introduced, all were subject to several hearings and discussions before the Commerce Committee, which I was pleased to be a part of. My colleague Senator BRYAN, the chairman of the Consumer Subcommittee ably brought together the issues embodied in the various legislative initiatives. He listened tirelessly to the concerns of the interested parties to the automobile industry, to labor, to environmentalists, and to consumer groups and successfully crafted the excellent bill which is before us today; a bill I am pleased to have cosponsored and on which I hope this body and the House will act on positively and promptly. I happen to believe that it is a very important piece of legislation, not just because of the environmental impacts, but also because we are so devoid of any energy policy in this country right now. It is very much a part of an ongoing strategy that was set previously by the Congress, in fact way back in 1975, and which has been derailed somewhat in recent days. I think it is totally appropriate for us to try to put it back on track and address now the questions of necessity.

This issue is important, and we ought to be voting for it, whether or not there is an oil crisis or whether or not there is a problem in the Middle East today. It was brought up with the intention of trying to pass it before any of that arose. So, Mr. President, I suggest that it is simply more compelling now in the fact of that.

Mr. President, in April of this year millions of people all around the world celebrated Earth Day. This overwhelming showing of solidarity to end the environmental degradation of our

planet and conserve our finite resources cannot be forgotten, particularly as the world is now faced squarely with the choice of how we are going to respond to the crisis in the gulf region with the economic and environmental threats and opportunities that it raises.

As the chairman of New England Earth Day, I traveled throughout Massachusetts and our neighboring States and worked to implement in our schools an environmental curricula with energy conservation as its No. 1 priority. One of the main themes of Earth Day was that yes, citizens' can and will hold their law makers accountable. Today the outpouring of concern that we witnessed on Earth Day 1990, must be fully appreciated as we vote for the conservation measures that are the heart of the CAFE bill.

The energy situation in the Middle East has made this debate a most timely one. Our dependence on foreign oil and its consequences on consumers pocketbooks is being felt by Americans everywhere. Whether it is the direct cost of gasoline at the pump, or the passed-on cost of airline travel, food prices as trucking costs increase, or soon, as the weather chills, increased cost to heat our homes, schools, and hospitals, we are all currently experiencing the economic consequences of excessive foreign oil dependence.

The United States is the largest consumer of oil in the world, accounting for almost 25 percent of the consumption. In addition, our dependence is growing, oil imports have grown from 28-percent consumption in 1982, to what some say will be 50 percent this year. That amount exceeds our previous high of 48 percent set in 1977. In my view this excessive dependence on foreign oil reflects a decade of no national energy strategy.

Many recall that during the oil embargo of 1973, Democrats and Republicans alike got serious about conservation and renewable energy resources. In 1975 Congress through the leadership of Senator HOLLINGS and others enacted CAFE standards which increased automobile fuel efficiency from 14 miles per gallon to today's 27.5 miles per gallon. Funds poured into research and development for renewable sources. Congress passed tax credits for conservation initiatives. Today, after a decade of neglect, a decade with no energy policy, we have arrived at the economically risky and environmentally dangerous position we are in today. In the past decade funds for renewable energy sources was cut from \$557 million in 1981, to \$94 million this year. In the 1980's tax credits for renewables such as solar hot water heating were eliminated. And as our R&D dollars dried up for America's universities and research institutions the Japanese and the Ger-

mans passed us and became the world's leaders in exporting these technologies. It is disgraceful that complacency and the lack of an energy crisis permitted not only our competitive edge to slip away, but shelved the Nation's conservation efforts.

But, today we have the chance to renew our conservation effort and to continue to curb environmental degradation.

Mr. President, before we debate the merits of the CAFE approach, I want to address the fact that many of my colleagues have received frightening, distorted, and exaggerated assessments of the measuring impact on our automobile industry. Let me put this into perspective.

Fifteen years ago, Congress enacted legislation which adopted CAFE standards designed to improve automobile fuel efficiency by 100 percent in just a decade. Ten years later the automobile industry, to their credit, achieved that 100-percent improvement standard and in some instances went beyond.

Let us review what the automobile industry told us 15 years ago when CAFE standards first passed. In 1974, the Ford Motor Co. told us: "This proposal would require a Ford product line consisting of either all sub-Pinto-sized vehicles or some mix of vehicles ranging from a sub-subcompact to perhaps a Maverick." Chrysler stated that the provision "would outlaw a number of engine lines and car models, including most full-size sedans and station wagons."

In 1990 we are hearing the same things. General Motors said that "absent any unforeseen technological developments, CAFE targets of the magnitude of those in S. 1224 would force us to consider drastic measures, such as cutting production of our larger, family-sized cars."

Well, Mr. President, they were wrong in 1974, and they are wrong now. Because of the success of the CAFE standards, new cars rolling off the assembly line today average over 28 miles per gallon versus only 14 miles per gallon in 1975.

The fact is, CAFE is one of the things that geared them up to be able to begin to create cars that were competitive with European and Asian cars. I suggest that is the same kind of a requirement today which will help them to do that again, because if they do not, those other folks—the foreign companies—are going to do it as they watch the price of oil go up in their countries and they begin to create more fuel efficiency and demand for a worldwide standard that is increasing with respect to air pollution.

More important, in the past 15 years, these standards saved the Nation 2.5 million barrels of oil every day and, in 1989 alone, lowered carbon dioxide emissions by over 360 million

tons. This means savings from the pocketbook of virtually every American family, not some abstract national oil account.

Contrary to what the auto industry says, the availability of this fuel-saving technology means that the size of vehicles need not be reduced and that there is no tradeoff of fuel economy with safety. In fact, the Center for Auto Safety, longtime watchdog of auto safety, assures us that this amendment will not compromise safety. Moreover experts tell us that our bill will offer buyers the same size and comforts as automobile models from 1987. Certainly consumers will continue to have choices in the cars they buy.

Increasing our fuel efficiency will decrease our dependence on foreign oil. This dependency not only poses the threat of supply disruptions, as we are witnessing today, but is a direct threat to our Nation's economic security since oil imports account for 40 percent of our trade deficit. The legislation before us today will reduce our Nation's oil consumption by 2.8 million barrels of oil per day by 2005. This accounts for close to four times the amount of oil we have been importing from Kuwait and Iraq combined.

Increasing our fuel efficiency also makes sense, because it will decrease the pressure to drill in environmentally sensitive areas, such as the Arctic National Wildlife Refuge in Alaska. Some predict that if we reduce our oil consumption by 2.8 million barrels per day, as set out in this legislation, by the year 2005 we will save 10 times the amount of oil they expect to produce in ANWAR. It will minimize the need for offshore oil and gas drilling in environmentally sensitive coastal areas such as Georges Bank and the California coast. And it saves consumers hundreds of dollars every year at the gas pump. It is estimated that the additional cost to produce a car achieving 40 miles per gallon may be \$500. This sum would be offset by savings of more than \$2,000 per year from lower gas use. And with continued rising prices of gasoline maybe even more.

In addition to saving oil, raising our CAFE standards is the single biggest step Congress can take to reduce global warming, and air pollution.

We know how many cities in this country are out of attainment. We know how many people are sick and dying each year as a consequence of lung disease and air pollution. The Lung Association of the United States says we spend \$40 to \$60 billion a year because of health costs attendant to the lack of clean air. And the single greatest contributor to that lack of clean air are automobiles and trucks.

I would disagree with the distinguished Senator from Michigan on the figures he just talked about with re-

spect to global warming. The fact is that passenger cars provide 14 percent of the total carbon dioxide emission of the United States. Add trucks to that, and it equals 20 percent, and the total combined CO₂ emissions from the United States relative to the global warming problem internationally, is about 25 percent of the world's carbon dioxide, and a very significant portion of that comes from automobiles and from trucks.

There is no one panacea for addressing global warming. Of course our utilities must be made more efficient. Of course we must take action to promote industrial efficiency. Of course we must plant trees and take many other actions in our interest. But cars and light trucks are major contributors to global warming and we must move immediately to improve their efficiency.

In fact, United States transportation alone, emits more carbon dioxide than the total produced in any other country in the world, except for the Soviet Union and China.

Every single gallon of gasoline our cars and light trucks burn produces nearly 20 pounds of carbon dioxide, the primary global warming gas. According to calculations by Environmental Action Foundation, the average car on the road today produces 58 tons of CO₂ over its lifetime. In stark contrast, cars averaging 40 miles per gallon would emit only 26 tons of CO₂ over their lifetimes. That is right. Each and every car will produce 32 tons less CO₂ if this amendment is passed.

More than half of America's Nobel laureates and 700 members of the prestigious National Academy of Sciences earlier this year, called global warming "the most serious environmental threat of the 21st century." They warned that "there is broad agreement within the scientific community that the buildup of various gases introduced by human activity has the potential to produce dramatic changes in climate."

And these distinguished scientists were not extreme to express such alarm. Last spring a meeting of the United Nation's intergovernmental panel on climate change, confirmed the general consensus of the world's scientific community: The Earth's temperature is expected to rise 3 to 8 degrees by the early part of the next century.

Such a temperature rise could have devastating consequences for the Earth's fragile environment:

Sea levels would rise;

We would see more droughts, the economic implications of which are enormous; and there would be more hurricanes.

The legislation that we are offering today requires each manufacturer to increase the fuel efficiency of its fleet

by 20 percent over 1988 levels by 1995, and by 40 percent by 2000. These increases would result in an overall national new-car average of 34.4 miles per gallon in 1995, and 40 miles per gallon in 2000. The measure also sets new efficiency standards—an average of 25 miles per gallon in 1995, 30 in 2000—for light trucks. Raising the efficiency of light trucks is especially critical since they currently account for a third of all new vehicle sales, yet on average are 25 percent less efficient than cars. By 2005, these standards would help curb global warming by reducing U.S. carbon dioxide emissions by over 300 million tons per year.

And Mr. President, I would like to impress upon my colleagues the need to act now—today, on this critical measure and by doing so, add a very significant component to America's terribly deficient energy policy with profoundly positive economic and environmental results for every American.

Mr. President, I see my time is up.

The ACTING PRESIDENT pro tempore. Who yields time?

Mr. BRYAN. I yield 5 minutes to the distinguished ranking floor leader, the Senator from Washington.

The ACTING PRESIDENT pro tempore. The Senator from Washington is recognized for 5 minutes.

Mr. GORTON. Mr. President, I listened with great interest to the eloquent statement of the Senator from Michigan, which combines three elements, two of which are among the oldest arguments against any proposal on any subject which comes before the floor of the Senate. One of those arguments is that, well, this may be a good idea, at least in part, but now is not the time. We are too busy. Let us postpone it until later. Let us think about it longer.

Mr. President, this idea is an idea whose time has come. Once again, the people of the United States are faced with the tremendous implications of overlarge dependence on foreign sources for their fuel. No time can be better to consider whether or not we as Americans can do better by increasing the efficiency of our automobiles and of our small trucks.

The other argument, which is ancient vintage, set forth by the Senator from Michigan is this is not a complete answer to the question. We need a total energy policy. We should not debate it one section at a time.

Let us wait until someone comes up with a bill that deals with every single aspect of the challenge of energy.

Well, Mr. President, I submit that we have probably been waiting for that debate for a decade, for two decades, since the turn of the 20th century, since the First Congress. We, as a practical matter, are not going to get that debate. We are going to have to deal with questions as they arise. And

the degree to which we can encourage an energy policy by beginning with what may very well be its most important single element is at the heart of this debate on the motion to proceed.

The Senator from Michigan also tells us that the only way in which to solve this problem is to create smaller cars. That, of course, is exactly the argument which was set forth almost 20 years ago. It was false then. It is false today. Our own Office of Technology Assessment, an office which works directly for the Congress of the United States has said that that is not the case. The Department of Energy, which on other grounds opposes this bill, says that that is not the case. The potential technology to meet the requirements of this bill within the framework of roughly the same size that cars were at least 2 or 3 years ago is clearly present.

If it is an argument that we should not even proceed to debate this bill because people do not buy their own automobiles for gas mileage reasons, then we should perhaps abandon the Clean Air Act because consumers do not buy cars on the basis of their emissions standards. They do not buy cars on the basis of their safety standards. They, nevertheless, as long as everyone is subject to the same rules, regard each of these proposals as being important. The people of the United States do want safer cars. They want cars which pollute less. And they would be perfectly delighted to have cars which get greater gas mileage.

But they recognize that the only way to do that is to mandate it because the manufacturers have argued against almost every single requirement which would enhance any one of those goals; the CAFE standards in the early 1970's, all of the safety standards and all of the emissions standards. And yet we have made immense progress in the course of the past 20 years and can make more.

Finally, the Senator from Michigan says, well, we probably can improve. We can get 6 percent or 10 percent or 20 percent more. We simply cannot get as much as this bill asks for. That is a perfectly legitimate argument. But it is a legitimate argument after the bill is before the Senate for an amendment to modify these requirements. It is not an argument to cobble up the right of the sponsors of this bill to have the bill itself discussed at all.

The issue on which we will vote in three-quarters of an hour is whether or not this issue is important enough for this Senate to debate. To state the proposition that it is not, that we should not even talk about it, that we should sweep it under the rug and go back to the District of Columbia appropriations bill seems to me to be a very, very weak argument.

I commend to my colleagues the desirability of debating an issue of vital importance to all Americans.

The ACTING PRESIDENT pro tempore. The Senator from Washington yields the floor. Who yields time?

Several Senators addressed the Chair.

Mr. RIEGLE. Mr. President, I want the Senator from Minnesota to proceed. I just want to say that I will respond after the Senator from Minnesota speaks to some of the points just made.

The ACTING PRESIDENT pro tempore. Who yields time to the Senator from Minnesota?

Mr. BRYAN. If I can inquire of my friend from Minnesota, how much time does he need?

Mr. BOSCHWITZ. Four minutes.

Mr. BRYAN. I am pleased to yield 4 minutes to the Senator from Minnesota.

The ACTING PRESIDENT pro tempore. The Senator from Minnesota is recognized for 4 minutes.

Mr. BOSCHWITZ. Mr. President, I rise today in support of Senator BRYAN's fuel economy bill. The legislation is crucial not only to our Nation's energy security but also to our effort to curb the threat of global warming.

I know that many have spoken about energy security and I will speak principally about global warming.

The current crisis in the Persian Gulf makes very clear that there is an obvious need to reduce our dependence on oil from that region or from other regions that might threaten us.

In recent years, our dependence on foreign oil has skyrocketed and is now around 50 percent, the highest level that it has ever been. Today 27 percent of this imported oil comes from the gulf region, double the amount that we imported from that region 15 to 17 years ago, at the time of the first oil crisis.

This measure, by increasing fuel economy 40 percent by the year 2001, would save 2.8 million barrels of oil per day, which is, nearly 20 percent of our Nation's total oil consumption. That is many times the amount of oil that can be pumped from the often discussed Alaskan National Wildlife Refuge. The resulting decrease in oil imports would not only reduce our dependence on Middle East oil, but would also go a long way toward balancing our trade deficit. That 2.8 million barrels would represent about a third of what we presently import on a daily basis.

But this is only part of the reason that I support increasing fuel economy standards. Many people are talking about the effect that this bill will have on our energy security. Its passage, however, would represent an even greater impact in our efforts to curb

the threat of global warming, otherwise known as the greenhouse effect.

Carbon dioxide is the major contributor to the greenhouse effect, trapping solar radiation before it is reflected back into space. The United States accounts for more than 25 percent of all world carbon dioxide emissions, and 30 percent of our emissions come from motor vehicle exhaust, more than from any other source. Improving vehicle fuel economy under this bill would greatly reduce those emissions and the U.S. contributions to the greenhouse effect would be greatly reduced.

This measure alone will not solve the problem of the greenhouse effect, obviously. Any effort to really stop global warming will have to be international in scope, and will require an unprecedented amount of cooperation among the nations of our world. This measure, however, would signal our commitment to other nations around the world that we are serious about global warming, which is really the overriding ecological issue of the day. This commitment has been questioned, by other world leaders on several occasions during the past year, and the passage of this measure would demonstrate to these leaders that we are ready to work with them toward an international solution. This would be a very large step forward.

I am not one who believes that coming down hard on business is the best way to solve our environmental problems. But I do not think that this bill asks too much of the auto industry, as many in the industry claim. Independent studies have shown that the standards required by this measure are achievable if currently available technologies are fully implemented.

Mr. President, the cost of not increasing fuel economy will be severe, both to our energy security and the environment. This bill represents sound energy policy and sound environmental policy. I congratulate my friend from Nevada and also the junior Senator from Washington, for bringing it forward. It will increase our Nation's energy security while reducing the threat of global warming. For these reasons, I urge my colleagues to support it.

I yield the floor.

The ACTING PRESIDENT pro tempore. The Senator from Minnesota yields the floor. May I say to the Senator from Michigan he has 14 minutes and 46 seconds. The Senator from Nevada has 12 minutes 41 seconds.

Mr. RIEGLE. I thank the chair.

I want to say again to the sponsors of the bill, Senator BRYAN and Senator GORTON, I wish we were on the same side on this issue because I do not relish finding myself on the opposite side of such good friends and conscientious Members, as they are.

But in response to the comments of Senator GORTON, and the issue of now versus later, let me tell my colleagues what has been going on in this area of trying to develop a comprehensive national energy strategy. We do have an awful lot of key people in our Government assigned to this job, including a person who sits with the President at the Cabinet table, the Secretary of Energy.

The Secretary of Energy has initiated an effort that has been going on over this entire year, to establish what is called officially a national energy strategy. One of the key elements that is marked out in the purpose of that effort has been to highlight conservation as a key element of that national energy strategy.

Since that time, over the last year or so, the Department of Energy has held more than 15 hearings across the country with more than 375 witnesses. All of that work is leading up to a December report that they are going to issue to the Government, to the country, as to exactly what their findings are and what their recommendations are. President Bush himself has indicated that he intends to submit a national energy strategy to Congress as part of his fiscal year 1992 budget. So that means it is going to be coming right down the track based on all of this work, that is being done by the experts in the field to craft a strategy.

So, we are not saying do not deal with this problem very quickly. We are simply saying do not just take a piece of it and try to do it right here in an ad hoc fashion when we have all this comprehensive energy strategy work ready and finished to bring before us. That is why the Energy Secretary, the Transportation Secretary and President of the United States all said that this piece of legislation at this time is a bad idea. It is a bad idea because it does not fit together with anything else, because it is not part of any kind of overall assessment, overall thinking, overall strategy. It is just an ad hoc item.

With respect to bringing it up right at this particular minute, there are other reasons why this is, I think, an inappropriate time—which means we really cannot do it properly. One is that some of the most important Members of the Senate are not present now and able to be part of this discussion. They are out at Andrews Air Force Base at the initiation and invitation of the President because of the urgency and the emergency nature of the Federal budget problems and the negotiations to get a budget package and the Gramm-Rudman-Hollings sequester that is just in front of us here, about 2½ weeks away. They have been asked to leave the Chamber and go out to Andrews Air Force Base and go into a setting there where they are negotiating day and night to try to

come up with a Federal budget package, so they are not here for the discussion. They cannot take part in it. Their States are involved in it. They have ideas on it.

That helps illustrate the fact this is not a timely moment in which to take one piece of the whole energy equation, bring it up and try in any meaningful way to debate it and settle it in this kind of setting. There is not the time to do it. We cannot have the participation to do it. It is just unwise in the sense we are trying to jump ahead of taking this up in a comprehensive way, bringing all of the resources and all of the effort of Government to bear to try to get the thing done in some overall way.

So it is very important we understand that, yes, this is a legitimate issue to take up. I am prepared to argue that. In fact I have provided data myself today that illustrates that point. But take it up in an orderly fashion. Take it up and put it in a context with all the other things. But what we should not do at all, when the country is under the kind of economic and financial stress that it is under, which is manifest for all to see, we should not create an artificial goal that goes twice beyond what all of the experts in the country are telling us is reasonable to try to accommodate and simply say let us do this no matter what the cost, no matter what the upheaval, no matter what the job loss or any other consequence.

We should not say we are going to set this out as a goal and we are going to say go to it and do it. We are not going to give you any money to do it, we are not going to help you raise the capital, we are not going to provide any special help to the workers who will lose their jobs as a result of this kind of a forced march, but we think it is the right thing to do and therefore we are going to just mandate it be done and we will just take the consequences.

After 24 years in the Congress, I have seen too many decisions like that. I have seen too many instances where the Government, with good intentions, has said do this, do that, put out mandates, they do not provide the money, they are not realistic in many instances, we start out down the road and we end up, usually, quite disappointed. We end up getting to a point quite different than where we started out to be.

This is not the time to settle this issue with the kind of sophisticated assessment of where it fits in with a national energy strategy.

I yield the floor and reserve the remainder of my time.

The PRESIDING OFFICER. Who yields time to the Senator from Oklahoma?

Mr. RIEGLE. How much time would the Senator like?

Mr. NICKLES. Five minutes.

The ACTING PRESIDENT pro tempore. The Senator from Michigan has 7 minutes, 55 seconds remaining. The Senator from Oklahoma is recognized for 5 minutes.

Mr. NICKLES. I wish to compliment my colleague for his statement and wish to make some comments concerning the debate today and yesterday.

Concerning the Bryan bill and the timing of it, I would urge my colleagues to use a little caution. Yes, we have a crisis in the Middle East but I do not think passing enormous increases in mandatory CAFE standards at this time is the right solution. And I underline the word "mandatory." I want greater fuel efficiency. Heavens, when you have a couple teenagers who drive a lot you want greater fuel efficiency because the gasoline bills are very expensive. Now we see the price of gasoline going up even more. So fuel efficiency, the cost of gasoline, how much money we are spending every month or every week when we fill up is certainly an issue on my mind and the mind of every American. We would all like to have greater fuel efficiency.

That is not the debate. The debate is whether or not we are going to mandate it and then whether or not the goals—they are not goals, they are mandates—are realistic. Can they be achieved? I hope they can. Is it possible? I would say yes. Some automobiles can average 40 miles per gallon. We may have a couple of those out in the parking lot before too long so people can see them. But mandate them at what cost?

The facts are today they are available, but 97 percent of the cars that are purchased in the United States do not meet that standard because Americans are not interested in those. Those are not the cars that Americans want to buy. Do we really want to mandate on all Americans: You have to buy cars of this size or of this nature? They may be fine cars. I have no objection to them. I would encourage Americans to buy them. I think that is fine. But I really object to mandating that Americans buy them.

I object to the idea that we are going to mandate that the cost of automobiles is going to increase, and it is going to increase dramatically, and no one knows exactly how much. But it is going to go up. The cost of automobiles is going to go up.

Not only that but we are going to lose lives, and maybe that is most important. We have not heard a lot about that but these cars are not as safe. I heard people say let us take the opposite side of the argument and mandate everyone has a M-1 tank, a heavily armored automobile. That is ridiculous. No one is saying that on

this side, but we think we should realize the fact is if we are going to mandate that cars be much smaller and much lighter there is going to be an increase in fatalities. We need to think about that.

What are we doing today? We are getting ready to pass—or proceed to a bill and in all likelihood pass it because of the concerns about oil shortages, et cetera. We are going to pass a bill that I am afraid we are going to regret and that we will have to come back, in a few years, to change.

As I mentioned yesterday, during the oil shortages in the late seventies, Congress passed a lot of bills including windfall profits tax; we had the Synthetic Fuel Corporation; we had the Emergency Allocation Act; we had the Fuel Use Act, all of which we repealed, all of which were passed in the crisis mentality of the shortages, and Congress had to come back and fix them. We had to repeal them. Maybe they were good ideas at the time. Congress was caught up in the passion to do something, even if it is wrong.

Mr. President, I think if we pass this bill today, it is wrong, it will be a mistake. It will be one that we will regret. It will be the one that Americans are going to say, "What? Why are you mandating we do this? I have a family of six. We do not fit in this car." Or, "I want a car that has an air conditioner." That is important in some parts of the country. Or, "Why did you pass a bill that required a plant in Ohio or Michigan or Oklahoma or Texas or Louisiana? Why did you pass a bill that put all those people out of work? What about their jobs? What about that productivity? What about that contribution to our national economy?"

The auto industry is taking a pretty big hit in the clean air bill. It is going to cost the auto industry hundreds of millions of dollars over the next few years to comply with the clean air bill, and they may or may not be able to survive. I say "survive." I expect they will survive, but they may not survive certainly in the same size, capacity, and industrial strength that they have today. In other words, we may have a much diminished automobile industry even without this bill.

But I want to tell my colleagues if we pass this bill in this kind of form, in this kind of shape, the automobile industry will change dramatically. Maybe people want that. But there are going to be a loss of jobs, and we are talking about a loss of thousands of thousands of jobs.

Again, I urge my colleagues to vote against cloture for several reasons: One, this bill first and foremost will deny consumers choice. Right now consumers have a lot of choices. They can choose all kinds, sizes, shapes of automobiles. We are going to deny them that choice.

If this bill passes, there will be a dramatic increase in fatalities over the years.

The PRESIDING OFFICER (Mr. LIEBERMAN). The time allocated to the Senator from Oklahoma has expired.

Mr. NICKLES. Mr. President, I ask my friend and colleague for an additional 2 minutes.

Mr. RIEGLE. Yes.

Mr. NICKLES. Mr. President, there will be a dramatic increase in the loss of lives. That is unfortunate. We do not want that to happen. No one wants that to happen. It happens to be a fact. We need to consider that.

There will also be a major loss of jobs, thousands of jobs, all across the United States, not just in the automobile industry as such, but the support industry as well.

Finally, Mr. President, on this motion to proceed, we are wasting our time. The President has already stated that he will veto this bill. That is not in doubt. He will veto the bill. I am confident that we have the votes to sustain the veto. I doubt that the House is going to pass similar legislation. There happens to be people over in the House who are vigorously opposed to this legislation. So it is not going anywhere in the House.

So why should we take up a great deal of the Senate's time? And if the cloture motion prevails, it will take a great deal of time because this Senator and several other Senators have a lot of amendments. This bill needs a lot of work. It needs a lot of perfecting. It needs a lot of changes. So there are going to be a significant number of amendments as we try to improve it, if we consider it, and for what?

The House is not going to take it up. It is not going to pass this session of Congress. Even if it did pass this session of Congress, the President will veto it.

I printed the letter from the President's advisers yesterday, stating their intention to veto this bill. I urge we save the Senate's time and not make a speedy, hasty decision on legislation that we will regret later.

I yield the floor.

The PRESIDING OFFICER. Who yield time?

Mr. BRYAN. May I inquire how much time each side has at this point?

The PRESIDING OFFICER. The Senator from Nevada has 12 minutes, 22 seconds remaining. The Senator from Michigan has 40 seconds remaining.

Mr. BRYAN. Thank you, Mr. President, I yield myself as much time as I may need.

The PRESIDING OFFICER. The Senator from Nevada.

Mr. BRYAN. Mr. President, and I say to my colleagues let me respond to the tenor of the theme that has been advanced this morning that let us not

rush into this, it is too late to do something about it.

I think the Wall Street Journal, front page of this morning's edition, makes the point as to why we need to act now. The headline is: Bad Timing. Gas Price Jump Finds Car Makers Backsliding on Fuel Efficiency. Models Planned for the '90's Are Big on 'Performance' But No on Conservation."

And then it talks about some of the muscle cars that Detroit has either developed this model year or the future years. The point simply is if we do nothing now, we are going to get ourselves into a position that is going to be even more difficult to extricate ourselves from our energy dependency. Fuel economy has declined by 4 percent since 1988. The trend is in the opposite direction. Our dependency increases.

Today, as has been pointed out during the course of this debate, we import 50 percent of the petroleum we use in this country, 60 percent in the transportation sector, and that is not a stable figure. That is one that has been rapidly ascending so that next year we are going to be even more dependent, and the years thereafter, more dependent than that.

The arguments that have been crafted against this proposal on the merits suggest that the technology is not there. As a result, there will be a dramatic downsizing in the size of the vehicle, and with that occurring, it eliminates family choice as to the size of the vehicles and it increases the risk of safety.

Mr. President, those arguments were visited in the 1970's. Fortunately, the Congress in the 1970's had the courage to resist that argument. They made the tough decision, and the tough decision was to support CAFE legislation. It worked dramatically. It improved fuel economy from 14 miles per gallon to 27.5 miles per gallon. It reduced 107 million metric tons of carbon dioxide in the air. So we have a proven track record.

The evidence before the Commerce Committee was overwhelming. The Environmental Protection Agency, the Lawrence Berkeley labs, the automobile suppliers, Mr. Duleep in his most recent report, June 1990, and the Department of Energy itself; as my friend and colleague and principal cosponsor of this legislation pointed out, testified in May of last year that the range that we are talking about in terms of these mandated improvements are technologically feasible without—and I emphasize "without"—downsizing.

Let us just assume for the sake of argument that those experts, independent experts, as opposed to those who are either in the employ of the auto industry or consultants engaged, let us just assume for the sake of argument that those estimates are off. The bill

provides for the Secretary of the Department of Transportation to have the authority upon the request of the automakers and a sufficient finding to make a waiver.

What is at issue here? As we debate this issue this morning and before we vote, we have 143,000 American fighting men and women in the desert of Saudi Arabia or on the coastal shores in the Mediterranean at an estimated cost, the Secretary of Defense tells us, in this current fiscal year alone of \$2.7 billion all because, as the President reminded us so eloquently earlier this week, we import too much oil. We are too dependent.

What does this legislation do? It reduces our dependency when fully implemented by 2.8 million barrels a day. It reduces dangerous CO₂ emissions in the environment by 500 million tons. Finally, it saves billions of billions of dollars in our trade deficit.

A vote against cloture is a vote against fuel economy. A vote against cloture is a vote for continued dependence upon foreign oil imports, and it is a vote against conservation. At a time when we are importing 50 percent of the oil that we use, as our dependency grows, how can we responsibly go back to our constituents at home and say, look, it is a big problem, but we just did not feel in the U.S. Senate that it was important enough even to allow the debate to go forward.

Mr. President, I respectfully submit that would not be responsible. I urge my colleagues to support it.

Mr. RIEGLE. Will the Senator yield for a question?

Mr. NICKLES. Will the Senator yield for a question?

The PRESIDING OFFICER. Will the Senator yield?

Mr. BRYAN. May I inquire as to time?

The PRESIDING OFFICER. The Senator from Nevada has 7 minutes 9 seconds.

Mr. BRYAN. I will be delighted to yield.

Mr. RIEGLE. Mr. President, the Senator's bill will change the fuel economy standards as of 1995, so we will start saving energy in 1995. I am wondering—and we talked yesterday about lowering the national speed limit to 55 miles an hour. If we did that today and we could put that into law, that will start saving gasoline today. If we are worried about gas usage being large because of troops in Saudi Arabia, why would not the Senator be offering something that has an immediate saving and not a saving 5 years down the road?

Mr. BRYAN. Because I believe it is important for us to send a message to Detroit. The distinguished Senator from Michigan has pointed out, and correctly so, that there is a lead time that is needed to build this in. Had the Congress taken this decision several

years ago to move from the plateau of 1985 of 27.5 miles per gallon, we would not have what we have, if I may be permitted to respond.

"As the 1990 model year begins"—and I quote from the Wall Street Journal—"the automakers are wheeling out some of the biggest and brawnier cars in years." It goes on to describe General Motors' Buick Roadmaster wagon that gets 16 miles per gallon, describes a Ford offering, Chrysler offering. Had we done that—in response to my good friend from Michigan—the auto industry would know they have to look at fuel economy and not just look at muscle cars. I think that is the kind of savings we get, although it takes a while, no question about it. The other options for more domestic drilling takes a similar period of time would be my response.

Mr. RIEGLE. Will the Senator concede if we are using extra oil right now, today, tomorrow or the next day, that there are other initiatives, like lowering the national speed limit that could start conserving energy today, not 5 years from now, but this week?

If we are going to make the argument about what is going on in the Middle East, is there not some obligation, if that argument is going to be introduced, to be suggesting energy-saving initiatives that could start working right now?

Mr. BRYAN. In response to the inquiry of the Senator from Michigan, I do not think any of the advocates of CAFE are suggesting that it is mutually exclusive to some other options to be debated and considered on the floor.

It seems to me, when you have 60 percent of the fuel that we use in this country in the transportation sector, not to focus on that ignores a tremendous opportunity for us to make some long-term progress, and that would be my response.

Mr. RIEGLE. I thank the Senator for yielding.

Mr. NICKLES. Will the Senator from Nevada yield for a short question?

Mr. BRYAN. May I inquire of the Chair as to how much time remains?

The PRESIDING OFFICER. The Senator from Nevada now has 4 minutes and 20 seconds remaining.

Mr. BRYAN. I would be happy to yield. I presume that this is on my time, Mr. President.

The PRESIDING OFFICER. It is. The Senator is correct.

Mr. BRYAN. I ask my friend and colleague from Oklahoma to be conscious of the fact that we are talking on my time, but I would be happy to respond to a question.

Mr. NICKLES. I appreciate the courtesy of my friend and colleague. I heard the Senator mention that he thought passage of this bill would save

2.8 million barrels of oil per day. I am assuming that would be by the year 2000?

Mr. BRYAN. It is. If I might respond, the calculations we have would be the year 2005. As we know, the second tier goes into effect at 40 miles per gallon the year 2001, so 2005 would be the date.

Mr. NICKLES. By the year 2005, the Senator estimates that we would be saving 2.8 million barrels per day. The Senator is also assuming that somebody is going to be buying these cars. Are we going to pass a law which mandates that they have to buy them right now? People are not buying them.

I am kind of wondering, because I think a lot of people would have reluctance to buy the smaller car and therefore would have a tendency to keep the old gas guzzlers that were built in the 1960's or 1970's.

Mr. BRYAN. The Senator made that point yesterday. Let me just simply respond by saying that the Senator from Oklahoma and I have a difference of opinion. He assumes that if this legislation is enacted, it will require downsizing, the small vehicles which he has described as not having met great popular support on the market. The legislation that we have proposed here assumes no downsizing from the 1987 model year. That is, America's families would have a full choice: big vehicles, midsize vehicles, and small vehicles. So I would assume that the circumstances of the marketplace, such as they exist with respect to choice in 1987, would continue to function throughout the period of time that these standards would be phasing in from 1995 to 2001.

Mr. RIEGLE addressed the Chair.

The PRESIDING OFFICER. The Senator from Michigan.

Mr. RIEGLE. I have 40 seconds remaining?

The PRESIDING OFFICER. The Senator is correct.

Mr. RIEGLE. Might I say to the Senator from Mississippi, we have 40 seconds left, and I would be delighted to yield it to the Senator.

Mr. LOTT. Mr. President, today I rise in opposition to the stringency of the car and truck fuel economy requirements in S. 1224.

I think a lot of appropriate arguments have been made on this issue. First, I would like to again summarize the important points the administration brought forward yesterday in an official statement.

In the statement of administration policy on S. 1224, by the President's senior advisers yesterday, they announced their intention to recommend a veto to the President on this bill, should it be passed.

Under the proposed bill it is quite possible, if not inevitable, that the outright elimination of certain model

lines will be the first step taken as manufacturers begin to adhere to these strict requirements.

Let me cite one specific example.

Since 1988 the Toyota Camry has included all the fuel economy technologies recommended by Senator BRYAN and then some.

The Camry's 1988 EPA fuel economy rating was 33 miles per gallon, an excellent rating for a compact car, but far short of miles per gallon that would be required under the current bill.

It is difficult to understand how a company gets to a CAFE requirement without significant downsizing, especially when compacts currently on the market using essentially all the recommended fuel economy technology fall short of the mark.

Fuel economy technology used on 1988 Toyota Camry: Front-wheel drive; 4-cylinder/4-valve engine; 4-speed automatic transmission; electronic transmission control; low rolling resistance tires; multipoint fuel injection; low friction rings/pistons; overhead camshafts; advanced aerodynamics.

If the goal is to reduce oil import share by reducing total fuel consumed in this country, we all must take a look at history.

Simply having higher CAFE standards is no guarantee that the level of oil imports will be permanently summarized:

Today, after improving CAFE 100%, we import a greater share (about 50%) of our oil consumption than we did in 1973 or 1974 (about 35%).

Having CAFE standards in the 1980's did not prevent the trend toward greater foreign oil market penetration. Higher CAFE standards aren't any more likely to reverse that trend in the future.

This legislation will have a massive impact on consumer costs, consumer choices, American jobs, and highway safety.

For what are these important negative considerations high on America's priority list? Very simply, for a very modest reduction in total fuel used.

All the aforementioned concerns notwithstanding, another important concern I have with the bill—I know many of my colleagues share—is the uniform percentage increase approach.

I indicated in my statement which was included in the S. 1224, Senate Report 101-329 dated June 11, 1990:

*** If this approach is mandated in order to provide domestic manufacturers a competitive edge, I am fearful that this edge will last only so long as gasoline is readily available, and gasoline prices remain relatively low.

The arguments about this not hurting some manufacturers as much as others, or that it is more fair for some reason because all manufacturers will "be required to increase the same amount" do not apply here.

Without a doubt if consumers want more fuel efficient cars, the most fuel efficient cars—should this bill become law—will in fact be those that are already the most fuel efficient cars. Food for thought.

This bill will hurt many areas of our economy. I believe many more areas will be hurt than will be helped.

I urge my colleagues to vote against cloture on the motion to proceed to this bill.

This bill has some distinct flaws. Another one in particular I would like to mention I am concerned about is the inclusion of light trucks.

If the Senate votes to proceed to this bill, I am prepared to take valuable Senate time to offer amendments.

When casting your vote, please consider that this bill will not become law. I do not think it is prudent to waste valuable Senate time on this issue right now.

Many factors must be discussed in full before the Senate is fully prepared to make an informed decision on this legislation.

I urge Senators not to vote for cloture at this time. I do not think this legislation has been sufficiently thought out. I think it should have more consideration. Frankly, I thought so in committee, and I was one of only two that said so to the committee.

This legislation is going to cost American consumers more money. This legislation is mandating what consumers can choose; since consumers will not change what they want on their own, we are going to say you must do it. We might as well mandate a perpetual motion machine. This legislation is going to force us to move to lighter, smaller, more dangerous automobiles.

I really think that there are too many problems that have not been properly considered. I urge Senators to vote against cloture at this point.

The PRESIDING OFFICER. Who yields time? All time allocated to the Senator from Michigan has expired. The Senator from Nevada has 2 minutes and 5 seconds remaining.

Mr. BRYAN. I do not, Mr. President, see any other Senator who desires to speak. Not seeing another Senator who desires to speak, I yield back the remainder of my time.

Mr. CRANSTON. Mr. President, although I do not support S. 1224, I plan to vote in favor of cloture and I want to take this opportunity to explain briefly my reasons for doing so.

As part of the leadership, I am acutely aware of the amount of work we have before us—business that must be completed prior to adjournment. I feel compelled to do what I can to expedite matters as quickly as possible. There are a number of bills that simply must be passed this year—the

clean air bill, the housing bill, the agriculture bill, all of the appropriations bills, just to name a few. And we don't have much time.

We simply do not have days to spend on this particular bill. So in the interest of time and in recognition of the fact that we have so much yet to do, I plan to vote for cloture on S. 1224.

Mr. D'AMATO Mr. President, yesterday I joined with a growing number of my colleagues in cosponsoring the Motor Vehicle Fuel Efficiency Act, S. 1224.

The August 2 Iraqi invasion of Kuwait has served once again to highlight our dangerous reliance upon imported oil. It appears as if the lessons of the 1970's have been forgotten in the 1990's. Instead of getting better, our dependence has only gotten worse. In 1973, we imported 37 percent of our oil. In 1990, we will be importing 50 percent of our oil. It is imperative that we find ways to reduce our dependence upon foreign oil and also look to other sources of energy.

Unfortunately, New York and the entire Northeast rely very heavily upon imported oil. The New York State Energy Office reported in 1989 that foreign oil provided more than 70 percent of New York's petroleum needs. That figure is up from 60 percent from only 3 years ago. Obviously, New York is very vulnerable in the face of world oil disruptions or price escalations. For this reason, corporate average fuel economy standards are important for New York and the rest of the Northeast.

Much has been made of our lack of a comprehensive energy plan. While the Department of Energy is working on a national energy strategy which will be unveiled in December, it will be too late to be of any help in our present situation. Nonetheless, it is essential that this policy include a diversity of energy options and fuels. While we cannot immediately end our love affair with oil, we can focus our attention upon other energy sources such as natural gas, coal, nuclear, and renewables such as wind and solar.

S. 1224 presents us an opportunity to curb our reliance on foreign oil, while at the same time help to reduce carbon dioxide emissions from vehicles which contribute to global warming. This legislation proposes to increase the current corporate average fuel economy, or CAFE, requirements for new cars and light trucks sold in the United States by 40 percent in 2001, with an interim increase of 20 percent in 1995. This would save 40.1 billion gallons of fuel in just the first 6 years of its operation, between 1995 and 2001.

Since 1975 when Congress first enacted CAFE standards, the auto industry has been fighting them. The current CAFE standards have not increased since 1985, and were actually

reduced between 1986 and 1989. In 1974, the year before Congress passed a fuel efficiency law that raised new car miles per gallon from 13.5 to 27.5 over 10 years, the auto industry claimed that higher gas mileage would "outlaw most full-sized sedans and station wagons" and require all cars to be "sub-Pinto sized." Obviously that prediction has proved quite false. Yet this has not prevented the industry from making the same arguments today. I am confident that they will once again be wrong in their prognostications.

There are environmental benefits to S. 1224. Vehicular emissions contribute to our global warming problem. A tank of gasoline produces up to 400 pounds of carbon dioxide, a major greenhouse gas. Although the world's motor vehicles now produce only 14 percent of all CO₂ derived from fossil fuels, the vehicular contribution in industrialized countries is higher, reaching a peak of 24 percent in the United States. Enacting S. 1224 would be the single largest step to curbing global warming by reducing CO₂ emissions by 20 percent by 2000.

S. 1224 represents just one step we can take to free ourselves from the shackles of foreign oil while at the same time addressing the global warming problem. I urge my colleagues to join with Senator BRYAN in supporting this legislation.

Thank you, Mr. President.

Mr. PELL Mr. President, I want to commend Senator BRYAN for his work in bringing the Motor Vehicle Fuel Efficiency Act of 1990 before the Senate for debate and hopefully, a final vote.

This legislation deserves the support of every Senator and Senator BRYAN deserves credit for his work on this issue. I am also pleased to be a cosponsor of this very important bill.

It was not until just 15 years ago, in 1975, that Congress took action to impose fuel economy standards on this Nation's automobiles by passing the Motor Vehicle Information and Cost Savings Act. I was a cosponsor of that original fuel economy bill and it is somewhat ironic that we are still fighting this battle in Congress.

It is only logical that we work to update fuel economy standards so that these standards reflect the technological advances available to the foreign and domestic auto industry.

Unfortunately, this has not been done. During the previous administration, the Department of Transportation actually lowered fuel economy standards. I am happy to see that the Senate is now reasserting its control this issue and am encouraged to know that there also some movement on this issue in the House of Representatives.

The crisis in the Persian Gulf makes this legislation essential for our future security. "Energy security" is a term that has suddenly come into back into

vogue after a decade of neglect. The Iraqi invasion of Kuwait has reminded us just how dependent we are on foreign oil and the need to reduce this dependence.

Equally as important, the Motor Vehicle Fuel Efficiency Act will help reduce the threat of global warming. The Department of Transportation has estimated that S. 1224 will reduce carbon dioxide emissions by 483.5 tons. Such a reduction of carbon dioxide emissions will help slow the advance of global warming and increase our chances of maintaining a livable world in the future.

It is my hope that Congress will not drag its feet and grant swift passage to the Motor Vehicle Fuel Efficiency Act and that the President will ultimately sign this timely and essential bill.

Mr. COATS Mr. President, I would like to join my colleagues, Senator NICKLES and Senator RIEGLE, in opposing the bill before us today.

I know it must be tempting to my colleagues to quickly enact legislation which, on the surface, seems like it will reduce our dependence on foreign oil. The recent actions by the United States military in the Middle East could result our supply of foreign oil at any time. You might reason that a higher fuel economy standard is probably a good thing.

There are several reasons why a higher corporate average fuel economy [CAFE] standard is a bad idea. First, it's easy to look back and say, "Well, they did it before and so they can do it again." In fact, the economic and technological impact of the original CAFE standards was severe, and this should not be underestimated.

While we can now look back on the CAFE requirements and call them a success, let us not forget how uncertain those days were for domestic auto manufacturers. The original CAFE law passed in 1975 required manufacturers to double their fuel economy over a 10-year period. This was primarily done through downsizing, or eliminating excess weight from medium sized and compact cars. Clearly this can not be repeated without significantly sacrificing safety standards. Even then, however, it was not profitable, since domestic manufacturers sell more midsized and large automobiles.

Only through averaging were domestic manufacturers able to comply with the CAFE law. Today, Ford Motor Co. sells each of its Escorts at a net financial loss in an effort to comply with the fleet averaging requirements of the CAFE standards.

In light of some of the bills and amendments which we have seen on this floor in the past year, I believe Senators should ask themselves whether they really want a domestic auto industry. It is true that the problems of ozone and carbon monoxide

nonattainment and global warming are serious environmental threats. However, I believe it is unfair to expect one segment of our economy to shoulder more than its share of the burden time and time again. How many of us can remember the 1970's, and the state of the American auto industry at that time. As with all major industries, auto manufacturers are walking a competitive tightrope between increasing costs, government regulation, and consumer demand.

When I was first elected to office in November 1980, our country, especially the Midwest, was in the middle of a crippling recession. It was not until the mid-1980's that Indiana began to recover fully. Hoosiers worked long and hard to keep Indiana competitive, not only with other States, but internationally. A number of new operations located in Indiana, including two General Motors plants in Fort Wayne and Marion; and a state-of-the-art assembly plant located in west Lafayette and owned by Suburu-Isuzu.

But, with the resilience characteristic of the American spirit, auto climbed out of the tough Midwestern recession of the seventies and early eighties. In the past 10 years, we have witnessed tremendous efforts by auto manufacturers to upgrade the technology at their plants while retaining employment levels.

My State of Indiana is second in the Nation in auto employment. For every Big Three worker laid off, two more workers in related industries become unemployed. These numbers do not include the overall effects of layoffs on small cities and towns in the Midwest: The grocery stores, service industries, restaurants, gas stations, and so on.

The bill before us today could result in 150,000 to 300,000 unemployed workers nationwide. This number would primarily impact the Midwest, where the bulk of the auto industry is located. When this number is added to those who will be unemployed as a result of the clean air legislation currently being debated in conference, the results are staggering.

In addition, there is much speculation that the budget agreement currently under negotiation will include an energy tax. Again, the Midwest would feel the brunt of the burden. In Indiana we have large energy-consuming industries, such as steel and auto. We also have long, cold winters when reasonable fuel prices are vital.

In the meantime, will a higher CAFE standard be reducing our dependence on foreign oil? The answer is positively no. First, the requirements of S. 1224 do not meet the technological and economic standards in the current CAFE law. In other words, S. 1224 is not a simple increase in the current CAFE standards. It represents a new criteria for whether those standards should be implemented.

If those standards could be achieved, and domestic manufacturers are required to produce cars averaging 40 miles per gallon in 2001, this will not result in a significant decrease in U.S. oil consumption. Remember that under S. 1224 auto companies would be required to sell vehicles averaging 40 miles per gallon. In fact, the industry estimates that at the end of phase I, where a 20-percent increase in miles per gallon is required, the requirements will only save about 0.4 million barrels per day. This does not seem to be much of a solution to our Nation's daily foreign oil consumption of more than 8 million barrels. And it will be many years before all vehicles on the road are averaging 40 miles per gallon.

Past experience has taught us that environmental requirements which increase the cost of automobiles significantly affect fleet turnover. Clearly the more conservation-oriented alternative is to encourage people to drive less. This theme is an important element of the clean air legislation currently making its way through Congress.

Finally, additional CAFE requirements will almost certainly result in further downsizing, though they cannot completely be met by simply reducing the weight of a vehicle. Further downsizing has dramatic safety implications which we cannot afford to lightly sweep aside in favor of ill-conceived legislation which will see only negligible results in the next 10 to 15 years.

I recently received a letter from the American Coalition for Traffic Safety citing a study by the insurance institute for highway safety. The study states that, on average, every 1-mile-per-gallon increase in fuel economy results in a 3.9-percent increase in the highway fatality rate. The coalition strongly urges rejection of the legislation before us today.

The last issue I wish to discuss is one that is near and dear to my heart, the bill's requirements for the light truck industry. In my hometown of Fort Wayne, General Motors recently built a new, modern assembly plant. Built on a square mile of land right outside of town, this plant employs nearly 5,000 people and utilizes state-of-the-art technology, including robotics and computers, to assemble custom-made light-duty trucks.

There can be no serious debate, in my view, that the bill is without any technical or policy foundation, much less a substantial basis for concluding that the trick standards are feasible and part of a least cost energy conservation strategy. Specifically, I would ask my colleagues to weigh carefully two features of the light truck standards proposed in S. 1224.

First, there is utterly no basis for predicting that average CAFE levels of 25 miles per gallon by 1995 and 30

miles per gallon by 2001, are achievable for the light truck fleet without major sacrifices in performance, size, and utility. Unlike the case of passenger cars, there has been no systematic study of the feasibility of higher fuel economy standards for light trucks.

The total absence of any foundation for the light truck standards is apparent from the report on the Commerce, Science, and Transportation Committee recommending passage of the bill. The report discusses at some length the testimony and evidence presented to the committee on the feasibility of higher passenger car standards. However, when it comes to the proposed light truck standards, the record is essentially empty. There are no systematic studies identifying currently unutilized or underutilized fuel economy improvements that are feasible for light trucks.

Evidently, the committee majority assumed, without ever saying so, that exactly the same technologies and penetration rates that are feasible for cars and also feasible for light trucks, and that the result would be exactly the same percentage increases in fleetwide fuel economy.

Mr. President, forgive me for belaboring the obvious, but everyone knows that light trucks are not the same as passenger cars. Light trucks, a vehicle classification that includes large, medium, and small pickups, full-size passenger and cargo vans, the popular minivans, and various specialty utility vehicles, are designed and engineered to perform unique functions that are well beyond the capabilities of passenger cars.

For example, light trucks must have the drivetrain and axle capacity to tow heavy loads and to provide adequate traction under adverse driving situations. They must have the enhanced reliability and durability to deliver the expected performance under extended severe duty cycles and difficult operating conditions. They also must satisfy performance expectations for off-road use. And they must have the space and power to carry much larger and heavier cargoes than passenger cars are designed to accommodate.

Faced with a barren factual record, we have many questions but no answers on how the proposed standards in S. 1224 will affect these essential features of the light truck fleet. Will the standards reduce towing capacities? Will they limit performance in adverse operating conditions or reduce the durability or useful life of the vehicles? Will they reduce off-road performance or constrain cargo capacities?

To each one of these questions, all that can be said at this point is "we don't know."

To summarize, Mr. President, the first reason to reconsider the light

truck requirements in S. 1224 is that we are legislating entirely in the dark. Unless and until such a detailed assessment of the feasibility of the light truck standards is prepared, we have no foundation for enacting the standards proposed in S. 1224.

In the present circumstances, I fear that many of us will yield to the political expediency of casting a vote to pass the bill without weighing seriously its ramifications on its merits as national policy. In the wake of the recent events in the Middle East, energy conservation is once again a popular cause.

Mr. CONRAD. Mr. President, I rise in support of S. 1224, a bill to increase the fuel efficiency standards for automobiles and light trucks. The measure is sound energy policy and good environmental policy. It is also in the long-term best interest of our economy, and it deserves the support of my colleagues. I commend the sponsor of the legislation, Senator BRYAN of Nevada, for introducing the measure, and I am pleased to be a cosponsor.

S. 1224 amends the Motor Vehicle Information and Cost Savings Act to establish new average fuel economy standards for cars and light trucks. It changes the corporate average fuel economy or CAFE standards to require that automobile manufacturers achieve a 20-percent increase in fuel efficiency by 1995 and a 40-percent increase by 2001. This translates to average fleet economies of 34.4 miles per gallon by 1995 and 40.2 miles per gallon by 2001.

America has made great strides since the Arab oil embargo of 1973 to improve automobile fuel efficiency. Unfortunately, however, the current CAFE standards, enacted by Congress in 1975, have not increased since 1985. Even more regrettably, the Reagan administration actually reduced the standards between 1986 and 1989. Thus, in recent years the fuel economy of the new vehicle fleet has declined, while size and horsepower have increased dramatically.

This is a trend that cannot continue. We must put America back on a path toward meaningful conservation for our energy security, our physical health and our economic well-being.

I am not unsympathetic to the arguments made by our friends in the automobile industry and related businesses. These industries have been a major force behind the success of the American economy, and their continued viability is important. After all of the arguments have been made, however, the most compelling ones are these:

First, we are growing too dependent on foreign oil and many regions of our country are choked with smog.

Second, motor vehicles account for two-thirds of our oil consumption and much of our urban smog. The only

real way to reduce both is to reduce demand for transportation fuels.

Third, we have the ability to improve fuel efficiency and therefore reduce that demand.

Fourth, we won't make these improvements unless we set higher goals.

The arguments that we are hearing against this legislation are virtually the same arguments that we heard in 1974 when Congress debated higher CAFE standards. At that time, Ford Motor Co. said that the legislation "would require a Ford product line consisting of either all sub-Pinto-sized vehicles or some mix of vehicles ranging from a sub-subcompact to perhaps a Maverick." The other major auto manufacturers made similar claims.

We know today that these assertions were unfounded. The fuel efficiency of cars has doubled since 1974 and consumers still choose from a large selection of car sizes. There is, therefore, no reason to believe that industry claims are more legitimate today than they were nearly two decades ago. If we could achieve a 100-percent industry in fuel efficiency then, we can achieve a 40-percent increase in fuel efficiency now.

The Office of Technology Assessment has reported in testimony before a consumer subcommittee that a fleet average of 33 miles per gallon is possible by 1995 without any change in the size mix of fleets, without any loss of performance, and without any additional cost. The price of increasing fuel efficiency would be offset by savings in the price of gasoline.

Further, the Department of Energy stated in a letter to Representative DINGELL in February 1989 that fleet fuel economy can be raised to between 35 and 40 miles per gallon during the 1995 to 2000 period using conventional techniques.

Improvements in everything from aerodynamics and transmissions to tires and engines are within our grasp. We have the technological know-how to do it. The only thing that is lacking is the leadership to accomplish it.

S. 1224 is good energy policy. In recent months, the United States has imported over 50 percent of our oil consumption—up dramatically from 36 percent during the oil embargo of 1973. Twenty-seven percent of our imported oil comes from the Persian Gulf—double the amount that we imported from that region in 1973. Transportation needs account for the vast majority of our oil consumption—63 percent in 1989.

Events in the Persian Gulf have reawakened America to the fact that our energy policy remains too vulnerable to the dictates of foreign governments. To lessen our dependence upon imports, many of us have long argued that we need to take aggressive action. Part of our action plan must include greater conservation.

The Bryan bill would save 2.8 million barrels per day by the year 2005. That 2.8 million barrels of oil is almost four times the amount of oil we presently import from Kuwait and Iraq combined.

If we take possible steps to increase conservation, we will take simultaneous steps to enhance our energy security.

S. 1224 is also good environmental policy. Carbon dioxide [CO₂] constitutes one-half of the global warming problem, and the United States is the world's largest emitter of CO₂. We produce one-fourth of the world's CO₂ while comprising only 5 percent of the world's population, and 30 percent of the U.S. carbon dioxide emissions come from the transportation sector.

Estimates are that the Bryan bill would reduce CO₂ emissions by 500 million tons per year by the year 2005. While many may dispute the presence of global climate change, few dispute the need to stem the tide of greenhouse gas emissions. The Bryan bill signifies U.S. leadership in global environmental policy, and it is a step in the right direction.

Finally, S. 1224 is in our long-term economic interest. The cost of U.S. oil imports in 1989 was \$49 billion, or about 45 percent of the Nation's \$109 billion trade deficit last year. Recent projections indicate that we will spend nearly \$75 billion on oil imports by 1995. Neither the 1989 figures nor the 1995 projections include the cost to the American economy of a large military presence in the Middle East to defend the flow of oil from the Persian Gulf.

We must reduce the massive Federal budget deficit and our large trade imbalance. With nearly half of our trade deficit attributable to imports of foreign oil, we can make significant progress on both if we enact measures like S. 1224. As noted earlier, the measure would save 2.8 million barrels of oil per day by the year 2005. In addition, consumers would save approximately \$200 per year in fuel costs if we adopt this legislation.

In short, the bill before us is an opportunity to save energy, improve our environment, and strengthen our economy. The rationale supporting S. 1224 was compelling before Iraq invaded Kuwait. Having been vividly reminded that the Middle East is an unreliable source of energy, history will judge us harshly if we miss this opportunity to reduce our reliance on oil from that part of the globe.

Mr. DIXON. Mr. President, the bill before us deals with what is clearly one of the most important issues of the day. Saddam Hussein has forced us to once again face the consequences of maintaining a dangerous and growing dependence on imported oil.

For this reason, in fact, I have continually supported an increased use of clean burning, domestically produced, and renewable alternative fuels. As the chairman and founder of the Congressional Corn Caucus, I have advocated the expanded use of ethanol in an effort to help meet our Nation's clean air requirements, reduce our dependence on imported oil, and lower Federal farm program costs.

Several factors, however, make it unwise to consider the legislation of my good friend from Nevada at this time.

First, and this will come as no surprise to anyone in this Chamber, debate on this issue is certain to be long and contentious. When we have left ourselves with so little time to deal with a mountain of must-resolve issues, not the least of which includes a budget agreement, we can not afford the amount of time that will surely be necessary to dispense with this bill. This is especially true when there is virtually no chance that the House will adopt similar legislation before adjournment.

This is not to say that auto manufacturers should not be required to increase the fuel efficiency of their vehicles. On the contrary, increased fuel efficiency must be included as part of a comprehensive energy strategy which I sincerely hope could be considered at the start of the next Congress.

As you will remember, after the last oil crisis in the late 1970's, the Democratic administration responded by promoting alternative energy sources from ethanol to solar power. Most of those programs, however, were subsequently dismantled. It is, indeed, one of the great tragedies of the last decade that the alternative energy programs begun under the Carter administration were abandoned by the Reagan administration.

I sincerely hope that we will begin to develop a comprehensive national energy plan, which will involve contributions from every sector of our society, early in the next Congress. A long and heated debate at this time, which is unlikely to result in a finished product, is not how we should spend the little time left in this session.

Mr. HOLLINGS. Mr. President, today I rise to continue the work we began in the 1970's on fuel economy for the passenger vehicle fleet. I offer my strong support to my Commerce Committee colleague and good friend, Senator BRYAN, for S. 1224, a bill which I have cosponsored.

In 1975, I cosponsored legislation that established the current corporate average fuel economy, or CAFE standards. At the time that legislation was proposed, it was an untested and unprecedented plan. However, we believed we could effectively promote national energy security by mandating

that the passenger vehicle fleet achieve a certain fuel economy.

At that time, we heard predictions from the automobile industry about the consequences of the legislation on the U.S. economy and on the consumer's choice of vehicles. It was suggested then that, if we adopted the standards that are now law, everyone would have to drive a vehicle the size of a Ford Pinto. Of course, the events of the last decade have proven the absurdity of those predictions, and have demonstrated the ability of the automobile industry to meet a challenge.

I am glad we were not deterred by those predictions, and that we proceeded to legislate fuel economy standards, which have made a significant contribution to energy conservation. They have resulted in a doubling of the fuel economy of the fleet without any loss of interior size or performance of the vehicles. It is estimated that these improvements in fuel economy save 2.5 million barrels of oil per day, and save the consumer at least \$40 billion per year in gasoline costs.

We need to continue the work we started 15 years ago. The levels of fuel economy established by that law have not increased since 1985, and the fuel economy of some manufacturers' fleets is actually decreasing. In the meantime, the need for energy conservation has not diminished. Rather, we have been forcefully reminded that we cannot rely on unlimited imported oil. The oil is not really unlimited, and the owners of that oil are fully prepared to hold us hostage to obtain it. If we are prepared to send our troops to risk their lives in the Middle East, the least we can do is continue to use our best technology at home to reduce our reliance on imported oil.

Imported oil is often over 50 percent of consumption, and we have seen in the past few weeks what happens to gasoline prices when there is even a threat to that supply. Of equal concern to me is the fact that energy imports are major contributors to our intolerably high trade deficit, adding almost \$40 billion per year.

In addition to the ongoing, and increasing, problem of national energy security, we have another reason to continue the progress in fuel efficiency—the threat of global warming. Every gallon of gasoline that is burned emits almost 20 pounds of carbon dioxide, and we know that carbon dioxide is a primary contributor to global warming. While we may not be certain of all the consequences of the warming that's predicted, we are certain that concentrations of carbon dioxide are increasing.

I am working to enhance the research necessary to know more about the effects of this warming. The Senate has passed S. 169, the National Global Change Research Act, which I introduced. This legislation provides

for improved coordination of the national research efforts to understand the earth system and effects of changes in that system. This legislation also provides for a national plan to advance this research.

However, I am convinced that, while this research proceeds, we must immediately take the steps available to us to reduce carbon dioxide emissions. Since the transportation sector is responsible for about one-third of the country's carbon dioxide emissions, fuel economy is an important part of the solution to this problem.

The auto industry is saying the same things it said in 1975—that the standards will force all Americans into tiny cars. It was not true then, and it is not true now. In Commerce Committee hearings on this subject, we heard impressive testimony from a variety of experts, including the Department of Energy, that the technology exists to accomplish considerable improvements in fuel economy without noticeable size reductions.

The new voice in this year's debate is the Asian auto industry, manufacturers who in the past have concentrated on production of small cars. Those manufacturers who make mainly small cars have not been affected by the laws now in place to the same extent as manufacturers of larger cars, since they have to meet the identical standard. The current standard has provided no incentive for these manufacturers to make their small cars as fuel efficient as possible. This bill would correct the unfairness in current law, and regulate all segments of the market, including small car manufacturers. It would do this by requiring all manufacturers to improve by an equal percentage from their 1988 fuel economy level.

The bill does not treat any segment of the market unfairly. In fact, it minimizes the differences in treatment among manufacturers more than any other approach that has been suggested. It even contains maximum fuel economy requirements—40 miles per gallon for 1995 and 45 miles per gallon for 2001—in an effort to be more than fair to small car manufacturers. Five of the ten Asian manufacturers selling in the United States will get the benefit of those maximums, and will not have to achieve the full percentage increases that will be required of other, full line, manufacturers.

This bill is fair, it is practical, and it balances the needs of the national energy security, the environment, the economy and the consumer. It is the product of thoughtful work in the Commerce Committee, where we have spent years developing an expertise in the area of fuel economy. I urge my colleagues to proceed to consideration of, and to support, this important re-

sponse to the country's long-term energy needs.

AUTHORIZING STATES TO REGULATE SOLID WASTE IN INTERSTATE COMMERCE

Mr. WARNER. Mr. President, I rise today in support of the amendment offered this week by Senator Coats concerning the regulation of the interstate transportation of solid waste.

Mr. President, during hearings this year, I and the other members of the Committee on Environment and Public Works heard testimony on the inequities and environmental hazards associated with transporting solid waste across State lines for permanent treatment and disposal. Across the country, citizens are actively voicing their concerns to Federal, State, and local lawmakers to stop the dumping of imported waste. Last year, at the Kim-Stan landfill in Selma, VA, citizens waged a 20-month vigil to call attention to this national problem.

Mr. President, I share Senator Coats' desire to encourage States to provide adequate capacity for the solid wastes generated within their borders. At the present time, 38 States are dumping nearly 12 million tons of garbage in other States. To reverse this trend, we should focus on encouraging alternatives to land disposal methods, which, according to a recent EPA report, were used to dispose of 73 percent of the solid waste generated by Americans in 1988.

Under the Resource Conservation Recovery Act [RCRA], responsibility for managing solid waste lies with State and local governments. RCRA requires States to develop plans to manage and reduce waste by emphasizing programs for recycling and resource recovery. According to the National Solid Waste Management Association, since 1987, 26 States have passed comprehensive solid waste laws requiring recycling, with seven requiring curbside collection of recyclables. In addition, several cities ban polystyrene packaging in fast food restaurants, and at least 12 States are considering a ban on packaging containing toxics such as lead and cadmium.

Mr. President, while the States have made progress in this area, there is much more work to be done. In the meantime, States with approved plans should not bear the burden of disposing of wastes generated by States without approved plans. Legislation is needed to provide the necessary incentives to assure that all States provide adequate capacity for solid wastes generated within their own borders. To achieve this goal, Congress should, in my view, exercise its constitutional authority to grant States the right to ban waste imports. This action is necessary in the face of Supreme Court decisions holding that States cannot

close their borders to imported waste in the absence of a congressional grant of authority.

Mr. President, I support the amendment of Senator Coats, because it provides the States with this much needed authority. If there were an opportunity to further refine this amendment, however—an opportunity that is not available at this time because of the parliamentary situation—I would give States more time to provide adequate treatment and disposal capacity for solid waste. In addition, I would impose stricter planning requirements on the States.

Mr. President, in the near future, I intend to introduce legislation that would phase in the authority for States to impose progressively higher fees on the disposal and treatment of imported solid waste. Under my proposal, States would be allowed a reasonable period of time to revise existing solid waste management plans to provide for new or expanded facilities to manage solid waste. At the end of this period, provided that an EPA-approved plan has been implemented, States may choose to refuse solid waste imports or set a different fee structure to further discourage waste imports.

Mr. President, States have a responsibility to assure their residents of adequate treatment and disposal capacity for wastes generated within the borders of their State. States acting together to solve State problems—without Federal intrusion—is the ideal arrangement. Both the Coats amendment and the legislation I intend to propose would allow all States to roll up their sleeves and get to work.

Thank you, Mr. President.

CLOTURE MOTION

The PRESIDING OFFICER. If there is no objection, the hour of 10:15 a.m. having arrived, under the previous order, pursuant to rule XXII, the Chair lays before the Senate the pending cloture motion, which the clerk will state.

The assistant legislative clerk read as follows:

CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, hereby move to bring to a close debate on the motion to proceed to S. 1224, a bill to amend the Motor Vehicle Information and Cost Savings Act to require new standards for corporate average fuel economy, and for other purposes.

John F. Kerry, Kent Conrad, Fritz Hollings, Claiborne Pell, Richard Bryan, Harry Reid, Wyche Fowler, Jr., Joseph Lieberman, Frank Lautenberg, Timothy Wirth, Patrick Leahy, Quentin Burdick, Christopher Dodd, Bob Kerrey, Bill Bradley, Daniel K. Akaka, Alan Cranston, Brock Adams.

CALL OF THE ROLL

The PRESIDING OFFICER. By unanimous consent the quorum call has been waived.

VOTE

The PRESIDING OFFICER. The question is, Is it the sense of the Senate that debate on the motion to proceed to S. 1224, a bill to amend the Motor Vehicle Information and Cost Savings Act to require new standards for corporate average fuel economy, shall be brought to a close? The yeas and nays are required. The clerk will call the roll.

The assistant legislative clerk called the roll.

Mr. CRANSTON. I announce that the Senator from Louisiana [Mr. JOHNSTON] is necessarily absent.

Mr. DOLE. I announce that the Senator from Utah [Mr. GARN], the Senator from Wyoming [Mr. SIMPSON], and the Senator from California [Mr. WILSON] are necessarily absent.

I further announce that, if present and voting, the Senator from Wyoming [Mr. SIMPSON] would vote "nay."

The PRESIDING OFFICER. Are there any other Senators in the Chamber who desire to vote?

The yeas and nays resulted—yeas 68, nays 28, as follows:

[Rollcall Vote No. 235 Leg.]

YEAS—68

Adams	Fowler	Mikulski
Akaka	Glenn	Mitchell
Baucus	Gore	Moynihan
Bentsen	Gorton	Murkowski
Biden	Graham	Nunn
Bingaman	Grassley	Packwood
Boschwitz	Harkin	Pell
Bradley	Hatfield	Pressler
Bryan	Heinz	Pryor
Bumpers	Hollings	Reid
Burdick	Humphrey	Robb
Chafee	Inouye	Rockefeller
Cohen	Jeffords	Roth
Conrad	Kassebaum	Rudman
Cranston	Kennedy	Sanford
D'Amato	Kerrey	Sarbanes
Danforth	Kerry	Sasser
Daschle	Kohl	Simon
DeConcini	Lautenberg	Specter
Dodd	Leahy	Stevens
Domenici	Lieberman	Warner
Durenberger	McCain	Wirth
Exon	Metzenbaum	

NAYS—28

Armstrong	Ford	McClure
Bond	Gramm	McConnell
Boren	Hatch	Nickles
Breaux	Heflin	Riegle
Burns	Helms	Shelby
Byrd	Kasten	Symms
Coats	Levin	Thurmond
Cochran	Lott	Wallop
Dixon	Lugar	
Dole	Mack	

NOT VOTING—4

Garn	Simpson
Johnston	Wilson

The PRESIDING OFFICER. On this vote, the yeas are 68, the nays are 28. Three-fifths of the Senators, duly chosen and sworn, having voted in the affirmative, the motion is agreed to.

Mr. BRYAN. Mr. President, I move to reconsider the vote.

Mr. GORTON. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. MITCHELL. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. McCAIN. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. McCAIN. Mr. President, I ask unanimous consent to be recognized to address the Senate for 5 minutes as in morning business.

The PRESIDING OFFICER. Without objection, it is so ordered.

The Senator from Arizona is recognized.

Mr. McCAIN. Mr. President, I revise my unanimous consent request to ask that following my 5 minutes, my colleague from Maine be granted 5 minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

JAPAN AND GERMANY'S BURDENSARING EFFORTS IN THE MIDDLE EAST

Mr. McCAIN. Mr. President, I was very pleased and heartened to learn this morning that the Japanese Government has decided to make a commitment of approximately \$4 billion to assist in the burdensaring of the Middle East effort. This is a good beginning. It is an important step forward, and it is an important signal. But I also hasten to add, if this involvement is drawn out for any length of time, the contribution from the Japanese Government is clearly not enough.

If Iraq does not give up its conquest within the next few months, this \$4 billion pledge would be only a small fraction of the total cost that the 25 nations contributing to the economic and military effort will pay. We may be talking about total annual costs that could well be in excess of \$50 billion, and much of this will have to be paid by some of the poorest developing nations.

I also report, Mr. President, that the impression, whether real or unreal, is clear that this action was taken by the Japanese Government not as an act of leadership—and indeed they are a world leader—but as a reaction to comments made by Members of this body and action taken in the other body yesterday.

I would hope that the Japanese Government and people will have learned from this experience that they must act as a world leader, and that they

must accept the responsibilities of a world economic power. I hope they have learned that the best way they can act to support us is to help us share the economic burden which is an onerous and heavy one on the United States of America. I hope they will remember that it is the lives of American fighting men and women that are at risk here not of Japanese, German, or others.

So, Mr. President, I am very heartened and very grateful that this action has been taken by the Japanese Government. I trust that Japan will soon pledge more aid without further prompting. I hope it will recognize that Japan will be dependent on oil imports for at least the next quarter century. I hope it will recognize that sometimes it must spend tens of billions of dollars to secure economic stability that its worth hundreds of billions of dollars in the short run and trillions of dollars in the long run.

Let me also suggest to the Japanese Government that there is an immediate contribution they could make to the United States that would be a great benefit to the United States in supporting its forces in the gulf, and to our creating a stable foundation for our strategic partnership.

Last year the total operating and maintenance costs of United States forces in Japan were \$6.9 billion. Japan now contributes some \$2 billion by way of offset aid and burdensaring. The United States has already asked that Japan increase its contribution to cover all the Yen costs of United States forces in Japan, which total \$4.840 billion. This would require some \$2.8 billion more in aid.

I hope that Japan will understand that such additional aid is both timely and necessary. I hope that Japan will understand that I speak as a friend, as someone who believes we must negotiate in good faith and avoid confrontation, and that I believe that strong bonds of friendship between the United States and Japan are essential to Asian and world security.

Mr. President, I cannot leave this subject without addressing the aspect of our other major partner, and of course I am speaking of the Federal Republic of Germany, which announced recently that they were going to contribute \$8 billion for housing, clothing, and feeding of Soviet troops and also at approximately the same time announced the commitment of two minesweepers to the eastern Mediterranean—where they can do nothing to help the military situation in the gulf.

Mr. President, the West German economy also depends on the oil supply from the Middle East. It is time that the Federal Republic of Germany, as a leader in Europe and the world, come to the table and make a far more significant contribution. If it

does not, it would be difficult for me to overstate the reaction on the part of the United States of America, and the disgust and anger that will result from a failure to make the commitment when West Germany is obviously willing to commit enormous amounts of money to take care of their own back yard. We can have no patience with a government that so far displays so little interest in the rest of the world, and indeed its own economic interests, and which fails to become involved in so great and serious a crisis, and one that can so deeply affect the world economy.

Mr. President, in closing, let me again say "thank you" to the Japanese. You must, however, do more, and next time I ask that you act, not merely react. We must all share this burden, recognizing that the United States will take the military lead. We do not expect military involvement on the part of the Japanese Government or people. We will take care of that part of our mutual responsibility, but Japan must do its proper share of taking care of the nations that are involved in the area, and in taking care of the enormous financial burden of preserving freedom and the rule of law.

Mr. President, I yield back the remainder of my time.

The PRESIDING OFFICER. Under the previous order the Senator from Maine [Mr. COHEN] is recognized not to exceed 5 minutes.

PERSIAN GULF

Mr. COHEN. Mr. President, I will take a few moments and add my support to the words spoken by the Senator from Arizona. He has certainly been one of the leaders in raising concern about the nature and extent of participation by our allies in the effort now underway in the Persian Gulf.

There was an important article written on this subject, I believe in yesterday's Washington Post, by Jim Hoagland, who is certainly one of the finest writers on international matters. Mr. Hoagland said that we indeed ought to maintain the pressure upon our allies, Japan and West Germany in particular, without engaging in any unnecessary finger pointing.

That is precisely the spirit in which I rise today, and I know the Senator from Arizona rises today, to encourage our allies to do more—not in a spirit of vituperation, but rather one of encouragement.

The United States is in the Persian Gulf not only to liberate the people of Kuwait, although that is an objective; not only to prevent the Iraqis from intimidating the Saudi Arabian people, although that is also an objective; not only to drive Saddam Hussein out of Kuwait, although that is an objec-

tive—we are there to protect our own interest. And indeed, we have a very important interest that goes well beyond that of simply acquiring oil from the Persian Gulf, though that, too, is important. We are there to prevent an aggressor nation from engaging in the gobbling up of another country with impunity because the implications for the rest of the civilized world are so severe.

Mr. President, I think the Senator from Arizona has exercised real restraint in talking about the contribution from our German allies. Why is it that West Germany, a relatively wealthy nation, certainly by comparison with many of its European allies and those in the rest of the world, can offer \$8 billion to house and perhaps clothe some Soviet soldiers and only find two minesweepers for their contribution to the effort in the Persian Gulf? That is not sufficient.

The final point I would like to make is that the issue of Soviet advisers in Iraq has been minimized. President Bush apparently made a request at Helsinki in his meeting with President Gorbachev to have the Soviets call for withdrawal of those Soviet advisers, and apparently that request was not met with any receptivity.

In consequence of that meeting, voices have been toned down, some have suggested it is "no big deal," to coin the phrase used by one House Member. I think it is a big deal. I think it is a strange notion that the Soviet Union would have economic advisers in Iraq given their own position. To the extent that they have military advisers, they are helping to make Iraqi soldiers and engineers more efficient in potentially killing American soldiers. I therefore have great difficulty with the idea that we are going to be supplying economic assistance to a country that continues to enhance the ability of the Iraqis to be more skillful in killing American soldiers.

So I think we have to continue to raise this issue as well as that of the contributions by the Germans and Japanese to the effort in the Persian Gulf, and I hope we can do it in the spirit of encouragement to our allies to raise the consciousness on the part of their people as to their own responsibility to that region.

For too many years we had this notion that NATO can only be concerned about interests within the geographical boundaries of NATO itself. That is a mistake. The NATO countries have an interest just as vital as that of the United States in the Persian Gulf. They are far more dependent upon Persian Gulf oil than we and they cannot simply turn away and say it is the United States' responsibility to protect their interest as well as our own. I hope we can continue this dialog in a spirit not of finger pointing, but of consciousness raising.

The PRESIDING OFFICER. The Chair recognizes the Senate Republican leader, Mr. DOLE.

THE BUDGET SUMMIT

Mr. DOLE. Mr. President, I guess I am one frustrated summiteer at Andrews Air Force Base the last 7 days trying to come together on a budget agreement. I must say it is a little frustrating handling it on a daily basis to turn on television or turn on radio or pick up a newspaper and pick up some of the Democratic propaganda that is being leaked to the press on a daily basis.

Today's Washington Post said "GOP's Proposal Said To Favor Wealthy." It goes into detail on the whole question about fairness. They want fairness, and we do not want fairness. Every day we complain. Every day they apologize, and then the same thing happens. Last year it was the Archer cigarette tax. The Archer bill never mentioned the cigarette tax. I had 10 calls, what are you doing to the railroad retirement, the Dole plan. I never even mentioned railroad retirement.

So there is no doubt in my mind there is a deliberate effort by some on the other side, staff, or somebody on the other side in the House or the Senate to cast this as Republicans for the rich and they are for everybody else. I am not certain we ought to continue to negotiate on this basis.

If we cannot go to Andrews Air Force Base and have candid discussions and try to resolve a very serious problem about the budget, \$50 billion the first year, \$500 billion over 5 years, without every day somebody on the other side saying that is a Republican idea—they want to help the rich, they want to do this—I am not certain what we are there for.

Frankly I am sick of it: Two o'clock in the morning, midnight, 1 o'clock in the morning, all day long. I do not know the answer because I do not think there is going to be any effort on the other side to do anything about it. Maybe we just have to start competing. We will dump on a couple Democrats every day and they can dump on a couple Republicans every day. We start some rumor that may not be true and they can start some rumor that may not be true.

I have not said one word since these negotiations started, and I have not talked to one press person since the negotiations started, in an effort to make certain that nobody on this side would be quoted as saying something about someone on the other side or one of the negotiators.

I do not know what my colleagues think but I know a couple here who have been up there half the night and all day long. There are not any plans. They keep saying Republican plans,

Republican plans. We are not there trying to negotiate in good faith with everything on the table, everything on the table.

These negotiations have been going on since May. I talked to some real people last night. I went over and met some of the retired officers. They said, "Why don't you Members of the Congress do something? You know you have to do something. October 1 is coming. What are you waiting for?"

Well, because some people want to play games. Now, I am sick of playing games. It is going to be very difficult—I will just speak for myself—to try to sit down with my colleagues on the other side and say anything because I know it is going to probably appear in the paper the next day. If we cannot have private discussions, if we cannot talk about some of these very controversial, very sensitive, very tough issues without somebody quoting you the next day or somebody suggesting, "Oh, the Republicans are out there trying to favor the rich"—that is the old Democrat lie that has been out here for 20, 30, 40 years. I suggest we just ought to stop. Maybe that is too drastic; maybe we just have to expect this, maybe there is not any responsibility with some of these negotiators or some members of their staff who continue to fax and leak and fax stuff to reporters all day long with their point of view.

I am going to go back to Andrews Air Force Base one more time, and I am going to make my complaint for the first time. I have been silent all week long. I figure, "Oh, well, these things happen in discussions and debates and sometimes things get out and reporters have an obligation to try to get the news." But when I turned on CNN this morning and picked up the paper and somebody else tells me about it on radio, and they are all the same, Democrats want fairness—that is the message—and we do not, and we are trying to protect the rich or the wealthy, and they are trying to protect everybody else, they cannot have it both ways.

We approved a lot of little programs last night. I do not know whether poor people were benefited but they were Democratic proposals. I do not see those in the paper though. Maybe they ought to be. Maybe they will be.

But we have to have some understanding and we need the help of our colleagues here and in the other body. None of us like the responsibility we have. And my colleagues on this side have told me about a lot of provisions they do not like. I do not know that I care for many of them either. There were not too many volunteers for this job. But it is very important, it is very necessary and we have to get it done.

There is no deadline. There is no end in sight. Now they are talking about

not being there tomorrow; working 5 days, sort of like bankers' hours, going over to Sunday and come back Sunday afternoon. Who knows? Next week, maybe the following weekend. But sooner or later we have to set a deadline and we have to say to ourselves and our colleagues and the American people if we do not finish it by x hour, x day, it is over. And if we do not say it, maybe President Bush ought to say it.

Some of us are tired of dancing around and trying to be objective and nonpartisan. We pick up the morning paper and turn on the television and listen to radio and see all the propaganda being skewed out by the other side.

So we will go back to Andrews Air Force Base and we will make our complaint. And they will say "Oh, we don't know how it happened. We don't know how it gets out there. Oh, it's terrible." And then we will go to work, maybe. But we should not do anything unless we solve these issues that every day crop up in the paper. And if capital gains rates is the issue, we ought to solve it today, or nothing else happens, period. So we do not get backed into a corner on that one, where everyone blames you and they say, "Oh, well, it blew up because the Republicans were trying to protect the rich." We are not trying to protect anyone. We are trying to do a difficult job in cooperation with our Democratic colleagues. It is not going to work if this garbage keeps piling up day after day.

Mr. DOMENICI. Mr. President, I have not been on the floor very much in the last 5 days because I have been somewhere else. And I agree with the Republican leader, my leader. I am tired. I am not only tired of working hard, because I have been, but I am tired of articles like the one he just alluded to.

There are no plans. If we had a plan, we would be finished out there. We could come and tell you about it. Then we could all argue about whether the plan is any good or not. There is nothing agreed to. So why is there news about what we are talking about. Why are people being blamed? There is nothing agreed to. How can there be a plan?

The notion of progressivity versus regressivity is a debatable issue. Somebody has a formula, a piece of paper, and they are circulating it, and they are saying, "This is it."

Well, that is somebody's version. It is certainly not ours. We did not develop it. We do not know where it came from in terms of alternatives and options, and it does not have all the things that we think belong in a Tax Code evaluation. I mean there is no question. The Republican leader is right. If you talk about capital gains, it is immediately regressive under formulas that some would use. But we

thought we went out there to solve the budget deficit, do something for economic growth, that is, jobs for America's future. We did not think we went out there to follow somebody's formula in advance of what the taxes ought to look like. So the Republican leader is right.

If all of this propaganda about whose plan is better for the rich or poor is built around trying to make capital gains anathema, then we ought to go out there and resolve it. If we cannot resolve it, maybe we ought to quit.

But let me repeat, it is grossly unfair to attribute issues that we are discussing to a Democrat or a Republican; and plans do not exist. We have all tried to come up with innovative ideas, new approaches.

We have to find \$500 billion, Mr. President, in deficit reduction. Clearly, we are not going to do it by taxing the American people \$500 billion. Clearly, we have to reduce spending. And, clearly, we are not going to do it all out of defense. So we have to make some tough choices. Occasionally, somebody puts a very tough proposition on the table, and that is courage. But there will not be much courage out there if the following day that tough proposal is all over the country.

So I think the Republican leader makes a point, not only a point with reference to leaks about things that are not true, but with philosophies and general positions about what is going on. Save those for another day. Do not burden an already difficult ship with this kind of thing, or it will sink.

The PRESIDING OFFICER. Who seeks recognition?

Mr. GRAMM. Mr. President, I want to amplify a little bit on what has been said, and I want to give an example. We are trying to come up with a plan to reduce the deficit, to move toward a balanced budget. Balancing the budget is like going to Heaven. Everybody wants to do it; they just do not want to do what you have to do to make the trip.

Leaks are going to occur. I do not understand why people want to use them, but they do. But what we are looking at here are not random leaks, but concerted, partisan effort to affix blame. Let me just give an example.

We were talking about Medicare because nobody can talk about the deficit without discussing Medicare. Medicare is the most explosive program in the Federal budget with \$40 billion a year coming out of general revenues and the program going broke every second. I suggested that we look at the possibility of having very high-income individuals pay more of the actuarial cost of the part B premium; hardly a revolutionary or a subversive approach.

The next day the Democrats come back with a version of progressivity on Medicare in their plan, and guess what? One, they label it the "Gramm plan;" and, two, they leak it to every media outlet in America. Why did they do it? You know why they did it. The leakers did it because they were cowards. They did it because they wanted the savings, but they were unwilling to take equal blame. So they leaked it with my name on it, even though their proposal was not mine. Then, suggestions were made about Medicare in general. And that was leaked as the Domenici plan.

Poor Congressman BILL ARCHER never even mentioned a cigarette tax. Think about our situation and think about a tobacco tax. But yet, not only does no one want to say look at it, they want to point at somebody on the opposite side of the aisle. Poor BILL ARCHER never mentioned cigarette tax; never ever mentioned it. And yet he wakes up, and there in news, all over his district and all over the country, is the Archer cigarette tax? Why is that happening?

Now, this morning we are greeted with headlines saying "Republicans want to benefit the rich." First of all, I have not seen a proposal made, if we put the whole thing together, which would not make the tax system more progressive. But the Democrats clearly put together a set of these phony tables in which they made up the facts and shot it out all over the country. Why did they do that?

First of all, they are so preoccupied with spreading the misery, and rubbing everybody's noses in it that they have forgotten that the genius of America is in providing incentives. We will not adopt any change in the Tax Code that is not at least neutral. There is no debate about that. What we are seeing here is a raw attempt to grasp some partisan advantage.

Mr. President, doing this job is going to be very unpopular. Nobody will score political points by reducing the deficit; there aren't any points to be scored. It is going to take courage. It is going to take sacrifice. And to this point, the only person in America who has shown any courage or made any sacrifice is the President.

These kind of partisan leaks really are hurting the process. This is not a leak. This is me speaking plainly. The problem we face is spending. Congress wants desperately to spend more money, but we cannot do this job and spend more money. That is the No. 1 problem.

Second, deep in the heart of many in Congress is a desperate desire to kill Gramm-Rudman. It has been one of the biggest holdups in this debate, but Gramm-Rudman will not die in an effort to "fix the deficit problem." As

imperfect as it is, it is the only sentry at the gate.

And finally there is this deep, dark desire—I call it dark; others may see it coming from the very center of Heaven—to find some poor guy who is working for a living, and to stomp out any incentive he has to succeed. I will never, ever participate in that.

In truth, there are still many here who, if they were in the Kremlin, would be opposing Gorbachev in everything he is trying to do. That thinking is not only outdated in America—which it was at the beginning—but all over the world now, yet we still find it alive and well in Washington, DC.

Mr. President, I want to urge our colleagues to end all this partisanship and let us get on with the job of dealing with the deficit. Any agreement will be very unpopular, and very hard to pass. But if we do not pass it, we are going to have chaos and we are going to hurt America. I think it is vitally important that we get on with the job.

I yield the floor.

The PRESIDING OFFICER (Mr. WIRTH). The Chair recognizes the Senator from Minnesota [Mr. BOSCHWITZ].

Mr. BOSCHWITZ. Mr. President, before my colleague from Texas leaves, let me just take small issue with him. That is, that it is not going to be popular to do what they are doing out there at Andrews Air Force Base. I think it is going to be popular. I think that the American people are going to be prepared to make the sacrifices. Some will object, of course.

Whatever programs are in some way cut—and I will talk about what cut means; and that does not mean actually reduced, just that their increase might be reduced—but in my opinion it is going to be a very popular act in the event we bring about some fiscal responsibility in the Federal Government. I think people will be prepared to undertake the sacrifices if they are fairly apportioned.

So, my word to the negotiators is, spread them out and fairly apportion them, and I will vote for them. I, too, share the frustration of my leader and Senator DOMENICI and Senator GRAMM when I see headlines in the paper that the Republicans are allegedly in this budget conference seeking to aid the rich, and that this old shibboleth is being introduced once again.

It is a bad thing when these budget talks are politicized in that manner. We believe, even, that we know who is causing these kind of leaks. Perhaps we should ask that particular person not to participate in the summit. That would probably really blow it wide open.

But nevertheless, I think the negotiators ought to go forward and I, for one, will vote for some very difficult items in order to put together a package, a package that goes over 5 years,

a package that reduces the deficit at least \$500 billion, a package that has some enforcement provisions, so it is not just a bunch of smoke and mirrors, and a package that is really going to get at the business of bringing the budget into some order.

I was shocked this morning. I spoke to our leader about it. I was watching CNN, and I see, allegedly, the reporter said, out of hand, that we are supporting the rich, and that the Democrats were not. I see, even in this article that is in the Washington Post this morning, the following sentence:

Fairness has been the keystone of the Democrats' arguments over the tax component. * * * Republicans, on the other hand, have been adamant that individual income taxes not rise.

It is a bad thing, Mr. President, that this budget negotiation that so many of us are relying on, so many of us are hopeful about, would just begin to be a partisan fight, as so many partisan fights we see here in the Senate and on Capitol Hill.

Yesterday I tried to put together a bipartisan group that would approach the press today and say that we, as a group, will be supportive of a package that shows fairness, that shows a comprehensive approach, that is a \$500 billion package, that is a 5-year package, that has strong enforcement provisions.

I could not get a single person on the other side of the aisle to join me. Regretfully, therefore, we cannot have such a bipartisan press conference, but we need to do that. We are going to have to vote on a very difficult package.

Yes, I agree with the Senator from Texas, it is going to include Medicare. Medicare is the fastest growing part of the budget. They say in 12 or 14 years, it will be the biggest item in the budget. If it is not restrained now, it probably will be beyond any ability to control it.

Spending this year, despite all of our talk about the budget, continues to rise very rapidly. The appropriations bills that were passed prior to the August recess showed spending increases of 11.4 percent this year. The revenues of the Federal Government normally rise at 8.6 percent. With the slowdown in the economy that we have been experiencing, it may not be 8½ percent, as it normally is. It may be somewhat less. But the spending goes on.

The appropriations bills that we passed in the Congress or that were sent over to us by the House showed increases of 11.4 percent. The game, of course, is get your programs as high as you possibly can, so in the event there are going to be negotiations about those programs, the negotiations start at a nice, high level, and you can work down from there.

We really do not seem to be serious about the business of coming to grips with the budget deficit.

Mr. President, I, as a Senator, stand prepared to cast some hard votes in this regard. I, as a Senator, am prepared to vote for things that I might not otherwise vote for. I hope that the package that the President and the leaders of the Senate and of the House present to the Senate and to the Congress and to the Nation is a broad-based package, and I hope that package reduces the deficit over a 5-year period by at least \$500 billion. I hope that package has strong enforcement provisions.

I trust that that package will not have a bunch of smoke and mirrors. I trust that that package will not just rearrange payments and put payments into the next fiscal year. You can save a lot of money doing those kinds of things. I trust that package will be very broad; that hopefully every program of the Federal Government will, in some way, be impacted. It is really the only way to go.

I might say, Mr. President, Congressman FRENZEL and I have, for some years, been introducing a bill that will compare this year's expenditures to last year's expenditures. It is not often that people understand how we go about the budget process here. We compare things to current services. In the event that we spent \$100 last year on a program and this year that program will rise because of inflation or because of other things, if the law stays the same, to \$106, and we only spend \$105, we have cut the budget by \$1. If we spent \$5 more than we did last year, one would think we have raised spending by \$5, but not in the jargon of the budget of the U.S. Government. We have cut the budget by \$1 because we did not expend as much as we expected to.

I think that we will never really get a hold on the budget unless we compare spending this year to the year before without these rather fictional type of current service approaches. That is how everybody in the United States does it. That is how we do it in our business. That is how I did it in my business prior to coming to the U.S. Senate. And to put up an expectation, to say we expect to spend this much this year, and if we do not spend as much as we expect and we make savings, why, that is one of the real fictions of the budget.

I sometimes joke with my constituents and I say to them that we have saved hundreds of billions of dollars. We have cut the budget by hundreds of billions, but yet the deficit seems to continue to expand; the deficit seems to get cumulatively so much larger, and the reason is, of course, that the cuts are figured from what you expect

to spend, not on the basis of what you spent last year.

So I express some regret, Mr. President, that the budget summit seems to have fallen into some disrepute, has fallen into some partisan bickering, has fallen into some leaking to the press that is going to undermine our ability to go forward.

I regret, too, that a body of Senators, a large body of Senators, cannot come together and say we are going to make hard votes. What I hear is Senators coming to the floor saying if this is in it, I will vote against it; if tobacco taxes are in it, I will vote against it; if beer taxes or a liquor tax is in it, I will vote against it.

Each one of us is going to have to vote for some things that are not particularly palatable to his or her constituents. It is the only way we are going to be able to solve the budget crisis of the United States. We simply cannot allow an accumulation of debt to be foisted upon our children and our grandchildren.

So I hope that the budget summitters do not come home at 5 this afternoon, that they do not assume bankers' hours, that they continue through the weekend, as necessary; that they drive their way to conclusion; that they make large and sweeping changes in large and sweeping programs; that they have the courage that is necessary to bring about the balance that is so desperately needed in the budget.

I say to my friend from Texas and to other Members of this body that, in my judgment, the American people will accept it. The American people are looking for us to do this. The American people will compliment us for our courage, and the American people will show disdain if we come up with yet another one of these smoke-and-mirror-filled budgets.

So I, as a single Senator, as the junior Senator from Minnesota, am prepared to vote for a package that is difficult. I am prepared to vote for a package that brings about a balance. I will continue in my efforts to seek other Senators who will stand and say the same, who will stand and say that they will cast a vote for this package even though it might contain something that will be harmful even to some of their constituents, because surely it will. If it is a good package, it will contain something that some among their constituency will not like.

I urge the negotiators on. I think that their cause is a good one. I think that their cause is one that we must now bring to fruition. I think that their cause is one that I support and that the American people will support. And if the decision is difficult, the American people will support it even more.

I yield the floor, and I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. PRYOR. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. PRYOR. Mr. President, I ask unanimous consent that I may proceed as if in morning business.

The PRESIDING OFFICER. Is there objection? Without objection, it is so ordered.

FREE MAILING PRIVILEGES FOR THE U.S. ARMED SERVICES

Mr. PRYOR. Mr. President, I am about to propound a unanimous-consent request that I understand has been agreed to on both sides of the aisle.

Mr. President, I ask unanimous consent that the Committee on Governmental Affairs be discharged from further consideration of S. 3033, a bill to permit free mail privileges for United States troops stationed in the Mideast; that the Senate proceed to its immediate consideration; that the bill be read for the third time; passed; and that the motion to reconsider be laid on the table.

Mr. President, I so ask unanimous consent.

The PRESIDING OFFICER. Is there objection? Without objection, it is so ordered.

S. 3033

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 3401(a)(1)(A) of title 39, United States Code, is amended by inserting "engaged in temporary military operations under arduous circumstances," before "or serving".

Mr. PRYOR. Mr. President, I thank the Chair.

Mr. President, I understand that this particular piece of legislation just passed will enable, immediately upon the signature by the President, our troops stationed in the Mideast to be able, from this point forward, to send free mail back to this country. This has been done before; there is a precedent. It was done in the Vietnam war, I understand in the Korean war, and it has been historically a decision made by the Congress to empower the Postmaster General to have such a situation occur.

Mr. President, a few days ago I talked to Senator ALAN CRANSTON of California. He had, in fact, just returned from the desert in Saudi Arabia visiting our troops. It was Senator ALAN CRANSTON who suggested to me as a member of the Governmental Affairs Committee and the subcommittee that has jurisdiction over the Postal Service that we together join in an effort to expedite this particular

bill through the Senate at the earliest possible time.

It is also Senator CRANSTON's understanding and mine that the House of Representatives will consider this legislation immediately upon its arrival in the House Chamber after it has been passed by the Senate.

Mr. CRANSTON addressed the Chair.

The PRESIDING OFFICER. The Senator from California.

Mr. CRANSTON. I thank my friend and colleague from Arkansas, Senator PRYOR, for his generous words and for his leadership, assistance, help, guidance, and effectiveness on this matter.

I was over in the gulf last week, and met with many service people: Soldiers, sailors, marines, and airmen, in various places out in the desert; on the battleship, the U.S.S. *Wisconsin*, in the middle of the gulf; at an airbase out in the desert; and elsewhere. I met many Californians and many people from other States. Their morale is very high. They know why they are there. They are prepared for whatever comes. They feel well led, well equipped, and well trained.

They know that the mission is to seek to deter war by our show of strength there with our friends and allies, to defend against any attack if it comes, and to maintain that force in order to give the embargo and the sanctions time to work, and to persuade Saddam Hussein that the wisest course for him is to abandon his aggression against Kuwait and go back to Baghdad.

The military personnel with whom I met, both men and women, under these incredible conditions, led to many conversations where they said, "What we want most of all is mail from home and the ability to communicate with our loved ones back home. We are very isolated here." They said, "Many of us did not expect to be here, and here we are. We understand the necessity, but we want to hear from home. Some of us haven't heard from home since we came here. Some of us have had only scant communication, and we have had long delays in hearing back and forth." They said, "We cannot find stamps over here. To get stamps, we ask relatives to send them. They respond. They get stuck together by the heat, and we cannot use them. It is very difficult. Please try to help us. Please tell people to write, write again, and give our address to friends and tell them to write."

I discussed this matter with General Schwartzkopf, the commanding general there. He suggested that we should enact legislation that would be analogous to what we have done under prior situations like this, and grant the right to military people over there to write home without having to have a stamp, simply by writing something in

the corner of the envelope indicating they were a service person in that part of the world.

I announced last Saturday that I would introduce that legislation. It passed the Senate on Monday. But it is attached to an appropriations bill that may not become law for some time. The House is endeavoring to pass similar legislation, but they were snagged yesterday and did not manage to do so.

I therefore think it is very important, in order to bring this opportunity to communicate at once to as many service people as possible, that we enact this bill as rapidly as possible. I am delighted the Senators now have approved it. I will trust the House will now join with us. We must give this opportunity to our service people to communicate with their loved ones, and to facilitate the opportunity for their loved ones here—whether it be a spouse, a fiancée, a mother or a father, or children—to communicate back and forth.

On that front, let me say that by waiving the necessity for postage, we make it much easier for people over there to communicate. The other side of that is to speed up communication from here to there.

While I was overseas, I called the head of AT&T, Mr. Robert Allen, who suggested, after I discussed this matter with General Schwartzkopf, that they see if they could organize a system where people here could fax letters instantly over to people in the armed services in the gulf.

AT&T went to work on this. They announced yesterday that they have launched a faxing program where people here, if they go to an AT&T store in their community, can fax a one-page message to the people that will go over instantaneously.

AT&T is very generously offering this opportunity without charge to the people. Normally, it would be a rather expensive matter. They are charging nothing. They have donated some fax machines that are now available in Saudi Arabia to facilitate the process. The process will begin next week on Friday.

The process will begin Friday of next week. I would like to tell those who want to find out how to do this, that there is a free number they can call to find out how they can get access next Friday to this fax operation I mentioned. It is 1-800-555-8111. They can also call my office, 202-224-3553, to get information and updates on how this is working.

I have talked also with Sprint, MCI, with Western Union, and with the post office, and other approaches are being worked out by those. I think further opportunities will be available in other communities and in other ways to get messages overseas to loved ones

there that are so eager to hear from home.

I urge everyone within the sound of my voice to write, write again, and to give addresses to others to communicate. Nothing can be done at home that can be more supportive of our people overseas than to give them a feeling of closeness to their faraway home and their loved ones. I thank the Senator.

Mr. BOSCHWITZ addressed the Chair.

The PRESIDING OFFICER (Mr. CONRAD). The Senator from Minnesota.

Mr. BOSCHWITZ. Mr. President, I certainly congratulate the Senator from California for this bill that will see to it that free mail privileges will be given to United States troops stationed in the Middle East, and for the fact that it has proceeded so rapidly through this body.

My colleague and friend, Senator HELMS, from North Carolina, could not be here, so I want to say a word on his behalf, because it should be made clear that the senior Senator from North Carolina originated this idea at the beginning of the week, and that he, too, deserves a good share of the credit for the passage of this bill in such an expeditious way.

So as I hear the others speak, certainly there is much credit to be given for this. It is an important piece of legislation. It is a show by the Congress that indeed we are supportive of our troops and the young men and women there in the desert heat of the Middle East. I do, however, want to emphasize that my good friend from North Carolina, Senator HELMS, came up with this idea very early this week as an amendment to the appropriations bill then before us. I congratulate him for generating this important idea at this moment.

I yield the floor.

Mr. PRYOR. Mr. President, I want to say for the record that earlier in the week, as the Senator from Minnesota just stated, the Senator from North Carolina [Mr. HELMS] did introduce such an amendment to the Postal-Treasury appropriations bill, I believe. We sensed that that was going to be too long a process and, conceivably, a conference would have to be held ultimately between the House and the Senate; and when Senator CRANSTON and I visited earlier in the week after his return from the Middle East, he suggested that we attempt to move the bill through on a unanimous-consent arrangement.

So I, too, would like to thank Senator HELMS, of North Carolina. I concur with the remarks by the Senator from Minnesota, but I also must say that for the concept of moving this bill as rapidly as it is moving today, certainly we want to commend the Senator from California [Mr. CRANSTON].

Mr. President, through some inadvertency, it is conceivable that, because of the fast tracking of this, Senator CRANSTON's name may not have been added as an original cosponsor. If not, I ask unanimous consent at this time that Senator CRANSTON be added as an original cosponsor of the amendment, and I ask unanimous consent that Senator LAUTENBERG, Senator ADAMS, Senator CONRAD, and Senator WIRTH, be added as original cosponsors to the bill.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. CRANSTON addressed the Chair.

The PRESIDING OFFICER. The Senator from California is recognized.

Mr. CRANSTON. I thank the Senator from Arkansas, once again, for his magnificent help in this matter. We now have an opportunity to speed communications in several different ways back and forth between people over in the gulf on their mission of peace and their loved ones at home. I again urge all who know anybody there to write to them and urge others to write and give out their addresses.

Mr. HELMS. Mr. President, I am happy to support any measure that will enable our troops in the Middle East to write home without having to worry about getting stamps in the desert.

When I visited with the troops last week, the problem of no stamps seemed to be the one thing that was getting to them—not the heat, not the thirst, not the sand. Besides that, they deserve the free mail privileges. If we are going to send our men and women half way around the world to a potential war zone, the least we can do is see that they can write home free.

So I promised them that I would do everything possible, as soon as possible, to assure the free mailing privileges. The day after we returned from the gulf, we met with the President, and I told him then that this should be a top priority, and that I would do everything I could.

Mr. President, that is why I took the opportunity of the very first piece of legislation to come up for consideration on the Senate floor when we reconvened on September 10 to fulfill my promise to the troops at the front. The measure had unanimous support, and I see no reason why it will not be retained in the conference on the Treasury-Postal appropriations bill.

The current measure proposed by the distinguished Senator therefore is perhaps superfluous, but I suppose it will do no harm to have a backup piece of legislation in the pipeline in case, through politics, the original legislation that has already passed the Senate should be delayed.

Mr. SARBANES. Mr. President, I am pleased to join my colleagues, Sen-

ator CRANSTON and Senator PRYOR, in urging passage of this legislation to provide free mailing privileges to members of the Armed Forces while engaged in temporary military operations under arduous circumstances.

On Friday, August 31, I joined Senator CLAIBORNE PELL, the distinguished chairman of the Senate Foreign Relations Committee, and a bipartisan group of Senators on a fact-finding trip to the Middle East. In the course of this demanding trip, we had an opportunity to visit with the men and women of our Armed Forces serving in the area. They were coping well and had remarkably high morale despite the difficult environment in which they found themselves. Everywhere we went, the troops asked us about mail service. It was their first priority as they expressed their desire to hear from their family and friends and to be able to get their letters out to their families and friends. Many of them indicated that the requirement of postage on their letters made it very difficult or in some instances impossible to send letters because no stamps or service were available.

This legislation allows military personnel temporarily deployed overseas for military operations to mail letters and parcels free of charge. This is a modest benefit for our young men and women serving in the Middle East. It will have a tremendous effect on the morale of our Armed Forces. I can attest to that personally based on my visit to these dedicated Americans in the desert of Saudi Arabia. They are anxious to be in touch with their families, and we must respond to that understandable, indeed laudable desire.

Mr. President, I strongly urge the Senate to pass this legislation.

Mr. ADAMS addressed the Chair.

The PRESIDING OFFICER. The Senator from Washington.

Mr. ADAMS. I have another subject. I am in full support of what happened. I wonder if the Chair has granted the unanimous-consent request.

The PRESIDING OFFICER. The Chair has granted the unanimous-consent request.

UNANIMOUS-CONSENT AGREEMENT—H.R. 5311

Mr. ADAMS. Mr. President, I ask unanimous consent that no further amendments be in order to the D.C. appropriations bill other than the following: Nickles amendment No. 2639, Coats amendment 2640, and amendments that are relevant to the subject matter of the Coats amendment.

I further ask unanimous consent that no motions to recommit be in order and that no points of order be waived.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

Mr. ADAMS. I want to join Senator PRYOR and Senator CRANSTON and Senator BOSCHWITZ in their comments. It is a pleasure to be a cosponsor of an amendment that contains a very, very important thing for our servicemen and women.

I yield the floor.

Mrs. KASSEBAUM addressed the Chair.

The PRESIDING OFFICER. The Senator from Kansas.

Mrs. KASSEBAUM. A parliamentary procedure question, Mr. President. Would I be in order to speak as an in morning business?

The PRESIDING OFFICER. The Senator would need to obtain unanimous consent at this point to do that.

Mrs. KASSEBAUM. I yield to the majority leader.

Mr. MITCHELL. I wonder if the distinguished Senator from Kansas might yield to permit me to propound a unanimous-consent request which has been cleared with the distinguished Republican leader. Does the Senator wish a period of time to address the Senate as in morning business?

Mrs. KASSEBAUM. Mr. President, I would very much appreciate that, and I will do so after yielding the floor at this time.

Mr. MITCHELL. We are going to proceed to the D.C. appropriations bill, but I am sure all parties would have no objection to the Senator from Kansas taking a period of time to address the Senate. How much time would the Senator like?

Mrs. KASSEBAUM. Five minutes at most, Mr. President.

UNANIMOUS-CONSENT AGREEMENT—S. 1224

Mr. MITCHELL. Mr. President, I ask unanimous consent that the majority leader, after consultation with the Republican leader, may at any time proceed to the consideration of S. 1224, the CAFE standards bill, notwithstanding the provisions of rule XXII.

I further ask unanimous consent that a cloture vote on the committee substitute, as amended, if amended, occur on the day following the day the Senate begins consideration of the bill, with the requirement for the filing of the cloture motion being waived.

I further ask unanimous consent to withdraw the motion to proceed to the CAFE bill, S. 1224.

The PRESIDING OFFICER. Without objection, it is so ordered.

SCHEDULE

Mr. MITCHELL. Mr. President, for the information of Senators, following the cloture vote this morning on the motion to proceed, I met with the most interested and participating Sen-

ators on both sides of that issue, and, following that, we reached agreement on this unanimous-consent request, which has now been included and is therefore in the form of an agreement.

To amplify upon it, Senators should be aware that my intention is to proceed to the CAFE standards bill after the Betts legislation has been dealt with, the age discrimination bill that will be brought up on Monday. Assuming that we are able to complete action on that matter within a couple of days, our original plan, or our intention at this time, would be, if the schedule permits, to take up the CAFE standards bill on Thursday and then have the cloture vote on it on Friday. If the Betts bill goes beyond that, obviously, we will review the matter with all of the interested parties, the distinguished Republican leader, and others, before making any change in that schedule.

Furthermore, Mr. President, as we all know, earlier this week we had previously taken up the D.C. appropriation bill, reached an impasse with respect to the amendment by the distinguished Senator from Indiana, which is opposed by the distinguished Senators from New Jersey.

We will shortly, following remarks of the Senator from Kansas, be returning to that bill for further discussion on that matter, and I would encourage Senators on both sides of that issue to attempt to resolve it, to reach an agreement if they can on how to dispose of that matter, so that we can proceed to final action on the bill.

EXECUTIVE CALENDAR

UNANIMOUS-CONSENT AGREEMENT

Mr. MITCHELL. Mr. President, as in executive session, I ask unanimous consent that at 2:15 p.m., Tuesday, September 18, the Senate proceed to consideration, en bloc, of the following treaties:

Executive Calendar 13: Tax Convention with Tunisia;

Executive Calendar 14: Supplementary Protocol to the Tax Convention with Tunisia;

Executive Calendar 15: Tax Convention with the Republic of Indonesia;

Executive Calendar 16: Tax Convention with the Republic of India;

Executive Calendar 17: Council of Europe—OECD Convention on Mutual Administrative Assistance in Tax Matters;

Executive Calendar 18: Tax Convention with the Federal Republic of Germany;

Executive Calendar 19: Tax Convention with the Republic of Finland;

Executive Calendar 20: Income Tax Convention with Spain, with Protocol.

I further ask unanimous consent that there be 10 minutes overall equally divided between the chairman and ranking member of the Committee on Foreign Relations, or their designees, that the reported reservations and understandings be considered as having been agreed to, that no other amendments, reservations or understandings be in order, and that no motions to recommit be in order.

Provided further one vote count as seven votes on the eight items, that the President be immediately notified of the Senate's action and that the Senate return to legislative session following the vote.

I further ask unanimous consent that these eight treaties be considered as having passed through their various parliamentary stages up to and including the presentation of the resolutions of ratification.

The PRESIDING OFFICER (Mr. PRYOR). Is there objection of the request of the Senator from Maine?

Mr. SARBANES. Mr. President, if the majority leader will yield, would one vote count as seven or eight?

Mr. MITCHELL. One vote will count as seven. Items 13 and 14 are covered by the resolution of ratification, and thus one vote would ordinarily dispose of those items.

Mr. SARBANES. I thank the Senator.

The PRESIDING OFFICER. Without objection, it is so ordered.

ORDER OF PROCEDURE

Mr. MITCHELL. Mr. President, I ask unanimous consent that the Senator from Kansas be recognized to address the Senate for a period of 5 minutes and that upon the completion of her remarks—

Does the Senator from North Dakota wish a period of time to address the Senate?

Mr. CONRAD. I would, if I would be permitted 5 minutes after the Senator from Kansas.

Mr. MITCHELL. Mr. President, I ask unanimous consent that upon completion of the remarks of the Senator from Kansas, the Senator from North Dakota be recognized to address the Senate for 5 minutes and, that upon the completion of his remarks, the Senate resume consideration of the D.C. appropriations bill.

The PRESIDING OFFICER. Without objection, it is so ordered.

The Senator from Kansas is recognized.

Mrs. KASSEBAUM. I thank the Chair.

(The remarks of Mrs. KASSEBAUM pertaining to the introduction of S. 3054 are located in today's RECORD under "Statements on Introduced Bills and Joint Resolutions.")

The PRESIDING OFFICER. Under the previous order, the Senator from

North Dakota [Mr. CONRAD] is recognized.

Mr. CONRAD. I thank the Chair and I thank the majority leader for the time.

THE PERSIAN GULF

Mr. CONRAD. Mr. President, I rise this afternoon to discuss and raise troubling questions about our involvement in the Persian Gulf. I want to make it clear from the outset that I have supported the President in his approach in the Middle East. Clearly, we cannot allow Saddam Hussein to control 45 percent of the world's oil supply. But I also said, when I extended my support to the President's action, that we cannot allow others who have at least as much at risk as do we to get away without full participation and a full sharing of the burden.

Just for a moment, I wish to review the stakes for others because I think it is significant in terms of judging whether or not each part of the world has taken on a fair share of the overall burden.

We in the United States are getting about 24 percent of our oil supply from the Persian Gulf. Europe is receiving 47 percent of their oil from the Persian Gulf; Japan, nearly 60 percent. Yet the images that we see on our television screens night after night are of American troops, American planes, American ships. And, very frankly, when we look to see how much of the burden others have taken on, we do not see much. It is a token effort at best.

I know people will be quick to say, oh, yes, there is a multinational effort. Others have sent ships. Others have sent planes. A few have even sent troops. But, Mr. President, I think if we examine fairly the burden that is being taken on, it is overwhelmingly an American burden. We have nearly 150,000 troops in the Persian Gulf now. No other nation comes anywhere close to the commitment that we have made.

Mr. President, it seems to me that it is not just a financial question, although it is costing us \$1.5 billion a month. It is a question of whose sons and daughters are waiting in the desert risking death. Certainly, it is a question of financial commitment, but only in part. It is also a question of whose young men and young women are at risk.

I was pleased to see that Japan has upped the ante a little bit. Instead of a billion dollars for our effort, they are talking about \$2 billion. And they are talking about another \$2 billion to help other countries that have been hurt by the embargo. That is not a fair distribution of the burden, either financially or in terms of the young

men and young women who are at risk.

And our friends in Europe have made only a token effort. Italy and Spain are sending two frigates apiece. Belgium and Greece have promised to send warships. France, while doing more than some of its European neighbors, has still committed only ships and planes, no ground troops, no money. In fact, all 12 nations of the European Community have made no commitment to support the military effort with either men on the ground or money. That is not good enough. That is not a fair sharing of the burden.

Mr. President, it is even more troubling if we look to the larger picture, because there we find that the United States, since the end of the last war, has shouldered a disproportionate part of the burden. We have been spending \$100 billion a year defending Europe, \$50 billion a year defending Japan, and we have to borrow the money from them to do it. That makes no sense. Frankly, the United States cannot afford to any longer carry that disproportionate share of what is a common burden.

I was troubled to see the latest estimates from the Congressional Budget Office that say the deficit for this fiscal year again is going up. And in the midst of that revelation, we find that those who have even more at risk than do we in the Persian Gulf are making only a token effort, both in terms of a financial commitment and in terms of a commitment of young men and young women to stand at risk in the desert sands of Saudi Arabia.

Mr. President, it is time for the United States to move in a new direction, to have a new policy. We simply must insist that those who are well able to pay their own bills do so.

Our friends in West Germany say their Constitution prevents them from sending ground troops. Our friends in Japan say their Constitution prevents them from sending military forces.

Mr. President, nothing in their Constitution prevents them from paying for their own defense. We continue to shoulder that burden and we can no longer afford to do it in the way that we have in the past. It is time for a change and it is time for us, as leaders in this country, to insist that everyone who has something at risk in the Persian Gulf and elsewhere in the world shoulder their fair share of this common burden.

With that, Mr. President, I thank the Chair and I yield the floor.

DISTRICT OF COLUMBIA APPROPRIATIONS ACT, 1991

The PRESIDING OFFICER (Mr. ADAMS). The clerk will report the pending business.

The assistant legislative clerk read as follows:

A bill (H.R. 5311) making appropriations for the Government of the District of Columbia and other activities chargeable in whole or in part against the revenues of said District for the fiscal year ending September 30, 1991, and for other purposes.

The Senate resumed consideration of the bill.

Pending:

(1) Nickles amendment No. 2639, to the number of employees of the District of Columbia government at the same level as fiscal year 1990.

(2) Coats/McConnell amendment No. 2640 (to amendment No. 2639), to authorize States to regulate certain solid waste in interstate commerce.

AMENDMENT NO. 2640 TO AMENDMENT NO. 2639

MR. COATS. Mr. President, just so that I and other Members are clear as to where we are, I just have a parliamentary inquiry, or at least a question. It is my understanding that we are now back on the District of Columbia appropriations bill, and that the pending business is the Coats second-degree amendment to the Nickles amendment.

THE PRESIDING OFFICER. The Senator is correct.

MR. COATS. I thank the Chair.

Mr. President, as my colleagues may recall, yesterday we were discussing an amendment that I offered relative to the transportation on an interstate basis of solid waste. My amendment seeks to give individual States the authority to impose regulations, restrictions, and take other action relative to the importation of waste into their States from other States.

I raised this amendment first last spring in May following introduction of legislation on November 18, 1989. More than a year ago, it became apparent to me, as I traveled throughout the State of Indiana and talked to constituents and others that a relatively recent practice was underway which was bringing a significant amount of solid waste from other States into Indiana for disposal. A number of my constituents and others were expressing a significant concern about the volume of waste coming in and a significant frustration over their inability to do anything about it. Because every time they inquired as to the legality of this or what options they had, they were told that the interstate commerce clause classified waste, solid waste, as commerce, and the States were powerless to do anything about this.

It posed a significant problem from a number of respects. No. 1, Indiana, like most States, is facing a rapidly diminishing landfill capacity. Where at one time we had ample landfills in virtually every county in the State, we find ourselves facing almost a crisis situation. This is not only true of Indiana, but it is true among a whole number of States. In fact, Indiana has

seen the number of landfills reduced to less than half in just the last 5 years. Projections are that will decline at least a further half in the next several years.

So, what at one point looked like an ample capacity to deal with our future waste disposal needs is now something that is giving the State great concern.

In looking at how we plan for the future, it is clear that all of us, as Americans, are becoming aware that we need to do a better job in terms of conservation; that we need to press forward with source reduction in production materials and so forth, to accumulate less waste; and we need to recycle as much waste as possible. We need to be much more environmentally conscious in terms of how we deal with materials we no longer want that need to be disposed of.

At the same time, there needs to be a recognition we are simply not going to achieve these goals overnight. We are going to continue to put out, individually, at the curb to have the local garbage service pick up, trash that is taken to a landfill for disposition. Businesses, commercial establishments, virtually every one of us have to empty the wastebasket. We fill up the garbage bag and we have to dispose of this waste.

As I said, these practices are going to have to change and all of us have to be environmentally conscious and recognize our responsibility in terms of how we are going to dispose of our wastes. But it is clear we are going to continue to use landfills. What is alarming to Hoosiers is the fact that not only are we facing a diminishing landfill situation in Indiana, but our landfills are filling up much more rapidly than we ever anticipated. While attempting to find out why, we have discovered the reason is there is a significant amount of out-of-State trash.

Whereas 2 years ago a negligible amount of out-of-State trash was being shipped into Indiana, today the Indiana Department of Environmental Management estimates that up to 30 percent of all solid waste being disposed of in Indiana landfills is waste from out of State.

Indiana only exports 2 percent of its waste. And that is basically to contiguous States under agreements whereby a metropolitan area that spills into both States, in most cases will accept and enter into an arrangement whereby we will deposit this waste at a certain landfill. Because Indiana borders the cities of Chicago, Cincinnati, Louisville, and other densely populated areas, there are agreements whereby we deposit some of our waste in other States. But it is only 2 percent.

Another practice that has arisen is the fact that out-of-State property purchasers have come into Indiana and purchased local landfills and expanded those landfills, or at least ad-

vertised to have trash deposited in those landfills from out of State.

Just one example. According to, again, Department of Environmental Management report of January 6, 1990 the Spring Valley landfill disposed of 720 tons of out-of-State trash from just 5 States. One State alone, the State of New Jersey, dumped more waste in this landfill than 65 percent of our landfills received from Hoosiers.

Last year at one landfill in Indiana, Centerpoint landfill, were dumped from 6,000 trucks, 240 million pounds of out-of-State trash. These figures were accumulated by citizens of this small town of 250 people who, on a voluntary basis, gave up their vacation time, lunch hours, time after work and before work, and so forth, to monitor every minute of every hour of every day that the landfill was operating for a 1-year period of time, recording the truck traffic in and the truck traffic out, recording the origins to the best extent they could, and monitoring the amount of trash that was dumped just at that one small town landfill.

Incidentally, just a couple of years before, they had received two truckloads a day on average of trash collected from the residents of the community. Just in that 1 year alone, that landfill which was purchased by an out-of-State investor and then advertisements were made that we now will take your east coast trash—6,000 semi-truckloads dumped 240 million tons of trash in just that one landfill.

Our remaining landfill capacity in Indiana is now down to 8.3 years. Indiana has, in recognition of this, undertaken a substantial, comprehensive, long-term plan for solid waste disposal. It includes one of the Nation's most ambitious, if not the most ambitious, recycling conservation component plans that exists anywhere in the country. Our State officials are working with local officials in attempting to put in place a rational process whereby we can handle the amount of waste that we generate while we are moving to a plan of reducing the amount of waste we have to dispose of in the future. Because, clearly, good environmental policy dictates we want to stop dumping this stuff in the ground where it becomes a threat to ground water, where it creates environmental problems, and we want to move as quickly forward as we can to recycling, conservation, waste reduction, and other appropriate ways to better dispose of our trash.

But we are totally handcuffed in our effort to provide rational State planning when there is no ability on the part of the State or local governments to manage or regulate out-of-State trash flowing into Indiana.

So we have the situation where a regional landfill in Indiana, northwest Indiana, goes to its public and says we

need to create a new landfill, and they put a plan in place that is designed to handle waste for the next 40 years. They sell their constituents on this. They build the new landfill. And in an 11-year period of time, they now have to go back to their constituents and say we only have 3 years left. They say we are going to build a landfill that will take care of our needs for 40 years. Eleven years later they have to go back and announce 3 years are left. Why? Because that landfill has been used to bring out-of-State trash into that landfill, diminishing its capacity to 3 years.

Now they have to go back to the public and the public says, wait a minute, you told us 40 years. They come back and say, we told you 40 years, but what we forgot to tell you is that we have no ability to regulate, stop, or impose a differential fee on trash coming in from out of State and it has been discovered by out-of-State interests and it is filling up, and we do not know what we are going to do as a community in terms of dealing with this significant problem.

The case of Indiana is true of the situation of many, many States. Because virtually every State in the country faces this problem. And I understand that New Jersey faced the very same problem and has had to deal with this, has had to deal with importation into their State. Their landfills have filled up. They have undertaken ambitious recycling plans and conservation plans.

But my objection to the argument coming from New Jersey is that they are basically saying we do not want the stuff any more, and we put a responsible plan in to deal with it. It is going to take a number of years to get the recycling effort together, the conservation effort together, and in the meantime we want to dispose, out-of-State, of trash we cannot handle in-State.

It is a significant portion of their trash. Indiana is not going to be able to deal with its problem, Kentucky is not going to be able to deal with its problem, Pennsylvania or any other States are not going to be able to deal with their problem if other States have unlimited license for solving their problem by simply filling their trucks up every night and sending them to our State and dumping their trash.

I see the Senator from Kentucky, Senator McCONNELL, is on the floor, and we have worked very closely together in fashioning this bill. Kentucky faces the very same situation Indiana does. I believe he will be speaking on this shortly. I really want to thank him for all his efforts and help in this regard.

The bill I introduced last November provided the State with the authority to ban the shipment of interstate

trash, to set fees, and to provide a monitoring mechanism.

In response to questions that arose at the time that I offered that amendment last May, relative to the fact that it is one thing to give the State authority to ban trash but that is not very responsible long-term planning, every State, if they have the ability to ban trash, ought to at least have a plan in place to dispose of its own trash.

In response to that, we have modified this amendment to provide that before a State has the ability to ban shipment of out-of-State trash they need to adopt a management plan for their own disposal of municipal or commercial solid waste.

Our bill says that before they can ban the trash, the State has to certify that it has adopted a 20-year management plan which includes, as a minimum, four things:

One, that the plan lists the amount of municipal and commercial solid waste reasonably expected to be generated in the State for the next 20 years. You have to know what is coming before you can deal with it.

No. 2, we ask that a statement of volumes of solid waste expected to be produced by the State be given through source reduction and recycling. We want to encourage States to enter into source reduction, recycling and conservation plans.

No. 3, we ask that States' existing capacity to manage such waste meet existing environmental standards. We do not want the States to solve their problem by simply finding a deep hole somewhere and pouring the stuff in. We want them to, in an environmentally sound way, dispose of this waste so that it does not affect ground water; so it does not impose a health or safety hazard or environmental hazard. So we are asking that States manage this waste by putting them in treatment programs or disposal programs which meet existing environmental standards.

No. 4, we ask that States detail the plans that they have to make new capacity available for the expected amount of solid waste that they are going to generate.

So we have married that proposal with the initial Coats amendment, and it is part of this particular amendment that is before us.

We also give the authority to States to impose what is called differential fees. I particularly thank Senator McCONNELL for his contribution on this, and I know he will be talking about that. But differential fees simply say that States will now have the authority to set a fee for disposal of out-of-State trash at a different rate than what it sets for disposal of its own trash. That is a municipal like Centerpoint, IN, Spring Valley—anywhere in Indiana. They can set a fee for dispos-

ing of their own trash, but if it accepts out-of-State trash, it can set a different fee.

Clearly, what we want to do here is remove the economic incentive for a municipality or someone wishing to dispose of solid waste in another State to load it on a truck, ship it halfway across the country, and dump it because the fees there are lower in that State than the State it is coming from.

A lot of States have tried to encourage shipping and transporting to another State by setting their fees so high that it forces people collecting those fees to look for somewhere else to dump it. That is exactly what happened.

Why have we had to do this? We have had to do this because the Supreme Court in a number of cases has held, as I said, solid waste as commerce and the States under the interstate commerce clause cannot unilaterally stop the flow of interstate commerce. But in researching back a number of cases, we have found that there are cases where the Supreme Court has affirmed that when Congress specifically authorizes States to take actions to do what the Coats amendment does, then it stands the constitutional test.

I will just cite two of those briefly. In *Northeast Bancorp. v. Board of Governors of the Federal Reserve System*, a 1975 case, the Supreme Court said:

When the Congress so chooses, State actions which it plainly authorizes are invulnerable to constitutional attack under the commerce clause.

In *White v. Massachusetts Council of Construction Employers*, 1983, the Supreme Court said:

Where State or local Government action is specifically authorized by Congress, it is not subject to the commerce clause even if it interferes with interstate commerce.

So we believe we are on sound constitutional grounds. We believe that the Coats-McConnell amendment will stand the constitutional test, will give States the authority that they not only need but they deserve and every State ought to have the right to have.

We think that this bill deals with the very difficult problem that our States are facing.

Mr. President, as I said, we are not the only State that suffers from this problem. There are many others. I hope some of those Members will want to speak on this issue. I gave a detailed position statement on this yesterday. I am not going to take a great deal of time right now because I know others want to speak. But this is a fundamental States rights issue. It is a fundamental right that States ought to have, that individuals ought to have, relative to the disposal of waste.

We should not be put in the position where we have no ability whatsoever

to stop this daily and nightly convoy of trash that comes into our State and is being dumped in our landfills. We do not know what the content of this garbage is, and we have ample evidence to indicate that it contains all kinds of medical and infectious waste that poses a health and safety hazard to the people of Indiana.

The Indiana health inspectors have documented to me that in a review last April, they found syringes filled with blood, and soiled bandages, tubes of blood, soiled medical gloves, IV tubes containing blood and liquids, soiled hospital gowns, syringes of blood, tubes and bags of blood, and even human body parts.

This is the thing that outraged the Nation when infectious medical waste washed up on the beaches of some of our east coast States, and Congress responded to this public outcry by passing a law stating that these medical wastes have to be disposed of in environmentally safe ways.

Yet, what is happening is this stuff is being thrown in the garbage bag, dumped at the landfill, and nobody worries about it in the place they are dumping it because they are going to load it on the truck at night and send it to Indiana, Kentucky, Ohio, Pennsylvania, or some other State. Let them worry about it. They are going to dump it in the hole, cover it over with dirt, and nobody will ever know.

When you have a truck loaded with thousands of pounds of sewage and garbage, a lot of it dripping down the road—I have been there; I have seen it—it is all pooled together. You say, "Hi, I am here again today," tip it, unload it, spray it off, and you are ready to go.

Speaking of spraying it off, there is a lady, Terri Moore, who documented trucks dropping off a load and picking up another load on the way back to the east coast. Who knows what they are putting in there. Who knows how clean that truck is. I have seen the trucks come in, they spray it with a hose and off they go. They have carried waste, some of it infectious waste, out to Indiana, stop somewhere and carry a load back to the east coast.

This is not just an issue that affects the people of New Jersey. I do not know what they are putting on those trucks. Maybe Indiana produce. Maybe things they are putting on their dinner table.

I think those people of those States would be upset to know the waste, some of it medically infectious waste, that they are trying to get rid of from their State; that they are getting maybe some of their foodstuffs back into their State in those very same trucks that carried the garbage and the infectious waste out of there.

Senator GORRION from Washington has a backhauling bill that I think this body ought to address. In fact, we

were hoping it would come up so that we could attach this amendment to it. But it has not.

Now, Mr. President, I feel like I have been a good soldier on this one. I did my research. I did my homework. We worked several months to put a bill together that would stand constitutional muster. We searched in vain for a vehicle on which to attach this where it would be germane. Everybody knows RCRA reauthorization is due, but for one reason or another it did not come before this body this year, and the House decided not to do it either.

So what are we to do in the meantime, just sit here and take these truckloads after truckloads, hundreds of millions of pounds of garbage into our State, diminishing our capacity to the point where we do not have our own landfills, while we wait for some bill to come along here to which maybe it is germane? I think RCRA is the appropriate bill to put it on, but it is not before us.

I do not have the power to do it. If I did, I would. It is not here, and everybody knows it is not going to be here. So I introduced my bill. I searched for a germane vehicle, a relevant vehicle, an authorization which would survive the process, and none was present, none was available.

Finally, almost in desperation, in May, I attached it to another piece of legislation, and we thought we had it worked out. The Senators from New Jersey came down and entered into a filibuster, and we were at an impasse. We sat here on this floor for 6, 7, 8 hours; I do not remember how long it was. I remember being awfully hungry. But we sat here on this floor trying to resolve this problem, and we were absolutely, totally stymied.

Finally, the majority leader came down, threw up his hands, and said, "We are at an impasse." Cloture was filed and that passed, and it knocked our bill out. Since then, we have looked for vehicle after vehicle after vehicle to try to do this again. I have visited landfills in Indiana, and every time I go back, I get more angry about the problem; my constituents get more upset about the problem; and the stuff keeps flowing in in ever greater volumes.

So finally now, with Congress rushing to finish this session in the last weeks, we are faced with very few options. So when the appropriations bill came up, I decided to come down and offer this amendment to it.

I wanted to do it early. I know that the negotiators are trying to fashion budget compromise. I know we have clean air legislation and other things that have to get done before we leave. So we are sort of at a limbo point here while the negotiators work on the budget agreement. We are dealing with important legislation, but legislation that is not going to shut the coun-

try down if we take a little bit more time to discuss another issue and attach it to it. That is what I have done on this D.C. appropriations bill, and here we are.

I appreciate the majority leader's assistance in moving this along. Obviously, he has not taken sides on the issues, but he has attempted to deal and has dealt very fairly with me on this issue.

We are now back on D.C. appropriations. I appreciate that. We are working to try to bring a resolution on the amount of time we spend on it, and to set a time for a vote. We hope we can announce something on that shortly.

Mr. President, I would like to read a letter into the RECORD that I think is very interesting. I received it in my office. It is signed by—I do not have her permission to give her name. It is signed by a lady who is now a resident of Indiana, and I think she hits the point right on the head. She says:

DEAR SENATOR: I am writing this in response to the newspaper article I read this morning in the Indianapolis Star. It seems only fair the State should have the right to refuse, refuse from other States. I'm a transplanted easterner. I grew up in New Jersey, where there are many more people than here in Indiana. I never saw a stock of corn up close until I was 28 years old.

Since she moved to Indiana, she has seen plenty of stalks of corn, I can guarantee that.

I found that people move a little more slowly here.

That is not something of which we are ashamed. It is something of which we are proud. We like our pace of life in Indiana.

I watched as older women did the dishes by hand and washed out plastic bags to use again. In New Jersey, people were busier, and the concept of recycling was too much trouble for them. I grew up with the eastern mindset: If it's too much trouble, throw it away.

There are many things I miss about the east coast. But I have learned so much about really living here in Indiana. And I don't want eastern garbage dumped here in Indiana, it's that simple. We all need to learn how to clean up after ourselves; it's a basic responsibility of a civilized society. People on the east coast need to see rewards of their business. They need to find ways to clean up their own messes. They need to take some time to find answers; They need to give up some time to clean up after themselves. It is unacceptable to allow them to remain blind to this problem by, literally, dumping it on someone else's doorstep.

Many of us in Indiana are imitating the ways of the older folks: washing out, using again, "making do." We hope to leave this planet in better condition than the way we found it. We understand that until people begin to detect the stink from their waste, they will ignore its existence.

It's not that we want the east coast to be punished; we've all been at fault. We just want them to acknowledge their waste problem and find solutions other than the landfill called Indiana.

Thank you for your consideration.

I do not know how I can say it any better. In fact, I cannot say it this well.

We want to cleanup after our own mess. We take responsibility in Indiana for the waste that we generate, and we are willing to clean it up. We are so willing to clean it up that we have enacted a substantial management plan for the future disposal of our waste in Indiana, supported by the legislature. It is going to require some sacrifices. We are going to take the time to do it, and do it right.

But we think if we take the responsibility to cleanup our mess, the people from New Jersey, New York, the east coast States, ought to take the responsibility to cleanup their mess. What kind of solution is solving their problem by putting it on a truck and dumping it on our doorstep? We do not want Indiana to be a landfill for other States.

I like this line here, that we would like people to acknowledge they have a waste problem and find solutions other than the landfill called Indiana.

So we are going to do our part, and we think every State ought to do its part. But we think that we are absolutely prohibited from doing our part if we have no ability to set fees, regulate, monitor, and, yes, in some cases say,

I'm sorry; we can't accept your trash. You are going to have to find a place to put it in your State, because our State is filling up and we don't have room for it. We have a plan to deal with ours, and it is a serious plan. But we are running out of capacity, too, and we need to deal with our problem. You deal with your problem.

This does not mean that States cannot work together. My bill specifically authorizes States to form compacts so if New Jersey and Pennsylvania or New Jersey and Delaware or Indiana and Illinois or Ohio and Pennsylvania or Kentucky and Tennessee, or whatever, want to enter into an agreement to share landfill space that makes economic sense, that makes environmental sense, they are perfectly able to do this. This bill gives them the right to do it.

We provide that any trash, anything shipped interstate for the purpose of recycling is perfectly permissible. We want people to recycle. We want to encourage that. If New Jersey has a plant that recycles glass and they want Indiana glass to be shipped there, we can do that. This act does not prohibit that. If Indiana has a facility that recycles metal, we want New Jersey's metal. That makes good economic sense. It makes good environmental sense. There is nothing in this legislation that prohibits that.

So I think, Mr. President, we have something here that ought to be supported by the Members of this body. I think it addresses a very real problem that exists today in our country. I

think it addresses it in a responsible way. It provides exemptions for recycling materials, hazardous waste, substances regulated under the Toxic Substance Control Act, materials recycling.

It gives EPA the authority to broaden this or narrow it as it sees fit. It puts the control in the hands where it ought to be.

So I urge my colleagues to look at the situation in their own States. I urge them to examine the bill. I think they will find it reasonable.

With that, Mr. President, for the time being, I yield the floor.

Mr. McCONNELL addressed the Chair.

The PRESIDING OFFICER. The Senator from Kentucky.

Mr. McCONNELL. Mr. President, I want to commend my good friend from Indiana, Senator COATS, for his outstanding work in this field. What the Senator from Indiana is talking about is not a crisis that is going to develop several years from now; the crisis is now.

Take Kentucky for example. The Governor says he is going to call a special session this fall to deal with this issue. The concern I have is that he is going to be wasting his time and wasting the time of the legislators and the taxpayers of Kentucky because, under existing law, in all likelihood, anything pragmatic the State may do it going to be found to be unconstitutional, a waste of time.

The reality is that under existing law the Federal Government is going to have to grant to the States some authority. The banning of garbage has been held to be unconstitutional in the absence of some kind of Federal legislation and could well be held to be unconstitutional even with some Federal legislation.

Senator COATS and I have worked together on this. Frankly, we started from a little different place. My view then and my view now is that probably the way we will go in the end is with some kind of fee differential. It seems to this Senator that the ability of a State to distinguish between in- and out-of-State garbage in terms of setting fees is the critical point. It ought to cost the same to dump a ton of garbage from New Jersey or New York whether it is dumped in New Jersey or New York or in Kentucky. If we had the authority for fee differential or even for banning, if that were found to be constitutional, it would give the States the authority to control their own destiny in terms of out-of-State wastes.

Kentucky is moving now by raising the standards in its existing landfills. Standards are so tough, as a matter of fact, many of them are going to close. What is happening is we are becoming even more a dumping ground as a result of that. Until a few months ago

we were averaging about 500,000 tons of out-of-State garbage. The State government tells us it is now up to a rate of about 1 million tons a year. So the problem is increasing dramatically because the State is attempting to create higher standards to protect its environment.

So this is a problem now, not 6 months from now or next year—now. The Federal Government ought to act. All the States ought to act responsibly to improve the manner in which they deal with this most important problem.

If we were to grant the authority for fee differentials, what I would recommend to my Governor and to my legislature is they simply establish a fee for out-of-State garbage at the level it would have been had it been dumped within the boundaries where it originated. If it cost \$150 a ton to dump garbage in New Jersey or New York, it ought to cost \$150 a ton to dump garbage in Kentucky—very simple. It would take the economic incentive out of shipping garbage long distances around the country in order to avoid dealing with the problem at home. We ought to all deal with this problem at home. Kentucky is beginning to do it and doing it responsibly. It ought not to be penalized for that.

This is an enormous problem. America is going to have to confront it at all levels, the Federal level, the State level, the local level. I think it is time to act. I understand the problem the Senators from New Jersey have. I understand their problem. But that is a very short-term approach to somehow hold out the hope that we could continue to export garbage. We are not going to be able to do that. People are overwhelmingly against doing that. We may be able at the close of this session to somehow avoid this legislation, but it is coming. Senator COATS and I feel it ought to come now. The crisis is here. It is in our States today. It is not fair. It simply is not fair for this to continue.

So I hope the amendment that Senator COATS and myself are offering will be approved. It is good legislation. It would make a difference for our country and for our various States that are being flooded with out-of-State garbage. I look forward to voting for it next week.

I yield the floor.

Mr. MITCHELL addressed the Chair.

The PRESIDING OFFICER. The majority leader.

ORDER OF PROCEDURE

Mr. MITCHELL. Mr. President, I thank my colleague.

I want an opportunity to make an announcement with regard to the

schedule for the remainder of the day and for next week.

Mr. President, as I indicated previously, it had been my hope that we could complete action on this amendment and this measure early this week. That has proven not to be possible. I urged the participants, primarily the distinguished Senator from Indiana and the distinguished Senator from New Jersey, to attempt to resolve their differences in a way that would permit us to complete action on this bill.

I renew my request and encouragement in that regard. However, it is now nearly 1 p.m. on a Friday. Many Senators have asked about the schedule. In light of our inability to bring this to a conclusion today, I will now announce there will be no further roll-call votes today.

I repeat and reaffirm my hope that the Senators involved can reach an agreement to dispose of this matter as soon as possible. I understand that there will be further debate and discussion on the matter as some of the interested Senators wish to make their positions clear. That will continue for some period this afternoon. But there will be no other legislative activity that will require rollcall votes. So Senators may adjust their schedules accordingly.

On Monday, the Senate will take up the so-called Betts bill, the age discrimination legislation, at 2 p.m. That is, of course, a very important and in some respects controversial bill. It is my understanding that there will be amendments to it, and votes are possible on Monday. If at all possible, we hope to have an announcement with respect to that later today or, if not, on Monday.

So we will be on the Betts bill on Monday. It remains my hope that we can complete action on this bill as soon as possible. I encourage Senators to make their views known in that regard.

BUDGET SUMMIT

Mr. MITCHELL. Mr. President, if I might for a moment address an entirely unrelated matter, a short time ago I was attempting to work out a schedule on the CAFE standards bill and on this bill. I was not present on the Senate floor, but I understand the distinguished Republican leader and several of our colleagues expressed their concern about leaks that have occurred with respect to the budget summit negotiations now underway at Andrews. Although I did not hear the remarks and have not read the transcript, they have been described to me.

I merely want to say that I join in condemning any leaks that occur as a result of this process. They are not helpful. Indeed, as we have seen from remarks made earlier here, they make

more difficult the achieving of a budget agreement, which in and of itself is an extremely difficult task, one to which many participants have devoted a great deal of time and effort.

I do not condone such actions. I condemn them. I have consistently and insistently urged participants in the talks to exercise self restraint and discipline, so as to permit an appropriate atmosphere to develop that will encourage progress, rather than retard it.

However, I think the record should be clear that the hearings have not been all one way. There have been leaks from both sides. There have been reports that have identified participants from both sides. In my presence, a short time ago, a discussion on this subject was held, and one of the participants, a Democratic participant, exhibited a front page story in the Boston Globe from a Republican source, which purported to quote, in what was apparently an unflattering and inaccurate way, comments made by one of the Democratic participants.

That does not justify any action of like nature in reverse. Two wrongs do not make a right. No such activity can be justified. I merely wish to make the point that his has gone on from the beginning.

Obviously, to read the papers, documents in their entirety have been released, and actions attributed to various participants and the respective sides have been quoted in great detail in newspapers, sometimes in positive, sometimes in pejorative ways.

What my hope is, what my strong intention and desire is, is that we can get together in a positive, good-faith spirit, to attempt to bridge the remaining differences and reach an agreement that I believe is very much in our Nation's interest. Whatever short-term or temporary political advantage any participant believes is gained by the leaking of such information, or the unauthorized distribution of materials to the press, in my judgment is extremely minor, and pales in comparison to the enormity of the problem confronting our Nation, our economy, and those of us responsible for dealing with this problem, and the positive benefit that can ensue from the adoption and enactment of a fair and responsible and meaningful agreement.

Mr. President, those are subjective terms. Reasonable people can and do disagree on what is fair. Reasonable people can and do disagree on what is responsible. Reasonable people can and do disagree on what our Nation's priorities are and ought to be, the manner in which we ought to move toward those priorities. That is the essence of the democratic process.

Ours is a competitive process, and there are competing political philosophies and views. But no one, of what-

ever political persuasion, can doubt the serious nature of the problem and the important public responsibility that each of us involved bears in attempting to deal with that problem in a responsible way.

I can assure every Member of the Senate, having been involved in some but not all of the discussions, that this is a very difficult task. It is not helped by any inflammatory actions which would cast aspersions on the Members and creates a situation which makes it more difficult to reach agreement in good faith. I hope this will come to an end, and in the relatively near future we can do what is necessary to reach a meaningful agreement.

I can assure every Member here that whatever agreement is reached will not be an agreement that I, personally, would have written, were I "king for a day." It will not be an agreement that the President would have written were he "king for a day" or any other participant or any Member of the Senate. Every single Member of this Senate will be able to find something wrong with that agreement, if there is an agreement reached, and I hope there is an agreement reached.

The important thing is, in the balance, what is the best course of action for our country? I believe that a fair, responsible agreement that provides meaningful deficit reduction, that requires sacrifice of all Americans, is what our economy needs now, and what our Nation's future demands. So we are going to resume today in good faith, hoping that we can reach this agreement.

Let me repeat in conclusion what I stated at the outset; I hope that those who have been involved in such disclosure of information will promptly cease and desist and permit the discussions to continue in a spirit of good faith and positive feeling toward reaching an agreement. That goes to participants on both sides who have been participating in such disclosures, Mr. President. It is unfortunate that it has occurred in both sides. It ought to stop.

Mr. President, I thank my colleagues for the courtesy of permitting me this interruption. I yield the floor.

Mr. LAUTENBERG addressed the Chair.

The PRESIDING OFFICER. The Senator from New Jersey.

Mr. LAUTENBERG. Mr. President, we thank the majority leader for his ever obvious patience and leadership, and we understand how frustrating and difficult his many assignments are. We are very proud of the efforts he makes and the leadership that he provides and also the patience with which he deals with all of these difficult subjects. I want to compliment him, as I know do all the Members of

this body for his unique and special leadership.

DISTRICT OF COLUMBIA APPROPRIATIONS ACT, 1991

The Senate continued with the consideration of the bill.

Mr. LAUTENBERG. Mr. President, I am obviously in opposition to the amendment of the Senator from Indiana. Frankly, I wish the subject were not here now, because I think it is an illogical way to approach a very difficult, complicated problem. I think we ought to work together, each and every one of us. Every State in this country, one way or the other, has the same problem.

Importers of garbage today may in fact, be exporters tomorrow, as we all rush to arrive at a satisfactory resolution on how to deal with the ever-mounting problem of the growth of waste, solid waste, garbage, liquid waste, you name it.

I want to make clear, at the outset, to the distinguished Senator from Indiana that New Jersey is not a pariah. New Jersey is not the evil force that is being portrayed here now. New Jersey is a State with a problem, just like many other States. And we are dealing with it, I think, in a resolute and organized fashion.

It is almost kind of analogous to our energy situation. All of us have talked about energy problems, and the energy crisis, and energy dependence, and it looked like we were all worrying ourselves to death about it. But everyone knows we did not do a darn thing about it, and we have not even heard yet—now with the crisis that we have with all of our kids over there in the hot desert—a program design that helps us solve the problem so that we are not in the same boat 10, 20, or 50 years from now.

Suddenly the problem is upon us and it is getting attention. That is the same way it is with trash, municipal waste, garbage. But New Jersey is not pinpointing Indiana. We are looking for temporary relief as we try to solve the long-term problem.

Now, I understand that in the State of Indiana there is a campaign commercial—if I could have the attention of my friend from Indiana because I do not want to misrepresent anything here—I understand that there is a commercial being run in the State of Indiana in connection with a campaign out there that shows this fat cigar-smoking ugly guy from New Jersey who is dumping his little bag of garbage on the innocent folks in Indiana.

That is hardly the description of the New Jersey people I know, the New Jersey people who go to Notre Dame or the New Jersey people who go to Purdue or the New Jersey people who go to the University of Indiana or the New Jersey people who have relatives

or friends in Indiana and do commerce and business and travel back and forth.

We do not need a reminder that we have to stick together whether it is New Jersey, Indiana, or any other State. We are in the same boat, larger boat together. We see where the enemies are. They are all over the place.

I do not think at this time it becomes the Senate or the character of the United States to be showing this fat slob from New Jersey dumping his garbage in Indiana. If my colleague would respond to a question, I would appreciate it. Would the Senator from Indiana tell me here whether the fellow portrayed in that commercial is from New Jersey or where is he from?

Mr. COATS. Mr. President, if the Senator will yield I will be happy to respond to his question. First of all, the Senator from New Jersey will be happy to know that the ad is not run in Indiana at this particular time. It is true there was an ad that ran a week or two ago for a period of about 7 days, or maybe 10 days, I am not sure how long.

Second, the gentleman who portrayed someone from New Jersey, I do not know if he is from New Jersey or not. Actually, he became quite a lovable character in Indiana. People are talking about him in a humorous way. The ad is a funny ad. Most people concede it is a funny ad. What is offensive about the ad, it states "Trash sent from New Jersey and dumped in Indiana." It is the trash that is offensive not the gentleman who portrayed that. I think if you view the ad you will chuckle along with the rest of the Hoosiers because it gets their attention and makes the point that something is happening here that should not happen and I attempted to do something about it in the U.S. Senate. But we find the character portraying the individual from New Jersey to be quite a lovable character and he has almost become a—I do like to put the right adjective on it—but he is someone that Indiana folks think is a folk hero because he is making a point that they feel is very important.

(Mr. ROBB assumed the chair.)

Mr. LAUTENBERG. I thank the Senator from Indiana, and I just wonder how many people within the sound of my voice would not love to have a nice fat slob in your house as a lovable character, especially since this Senator is the one who has written the laws initiating the ban on smoking in airplanes and places like that. It does frankly, in all good humor from my standpoint, not produce a folksy-homey response to know that this fellow is a folk hero in New Jersey. If you want to put "Made In Indiana" on his sweatshirt that is OK, but do not let him be carrying anything from New Jersey.

I think it is particularly inappropriate that the Senator would choose to offer this amendment because of events that are taking place even now.

Recently, the National Governors Association adopted a solid waste management policy. The policy addresses interstate transport of solid waste. This provision, which was negotiated by the Governors of New Jersey, Pennsylvania, and Indiana, establishes a framework for addressing the transport issue.

But the Senator from Indiana has not chosen to work with Senators BAUCUS and CHAFFEE and other members of the Environment Committee on which I sit. He has not chosen to develop legislation which implements the National Governors Association policy. He has not even considered legislation based on a policy which is agreed to by all Governors including the Governor of his State.

Instead, our distinguished colleague from Indiana has chosen to bring an amendment to the floor that has everybody's hackles up, that is very divisive, and it will not help us solve the problem. This amendment is inconsistent with the National Governors Association policy, and he brings an amendment which fails to provide a fair balance to all States.

Mr. President, the Senate Environment Committee held a hearing on this issue a few weeks ago. At that hearing, the chairman of the Environmental Protection Subcommittee, Senator BAUCUS, clearly stated that he intended to develop legislation to address this issue, and staffs have been working to develop an acceptable proposal. Senator COATS, I know, is aware of these efforts.

At that hearing, we heard from the distinguished Senator and we heard from two Governors, including Gov. Jim Florio from New Jersey. These Governors left that hearing knowing that the committee intended to act, and the Governors responded by adopting a policy that would help us enact the appropriate kind of legislation.

The Senator from Indiana would have us ignore this action. It is simply impossible to understand why the Senator from Indiana will not allow the Environment Committee to do what is said it would do, and that is to develop a bill.

Mr. President, no one doubts that solid waste disposal is a national crisis. Landfills are closing around the country. Garbage is being shipped across State borders at even higher costs, until adequate management capacity is developed. Understandably, some States are restive about being on the receiving end, but this does not justify a hit-and-run effort in the U.S. Senate. It does not justify going around the committee process, par-

ticularly when that committee is making a good-faith effort to address the issue.

There are a number of problems with this amendment. First, it has nothing to do with the bill under discussion. Second, this amendment pits State against State in addressing our Nation's solid waste problem. But solid waste is a national problem. We are all literally choking on our own garbage. Americans generate 180 million tons of municipal solid waste a year. That is 4 pounds of trash for every person every day. At the same time, we are running out of landfill capacity for disposing of this waste. Nationally, 80 percent of all municipal solid waste goes to landfills. More than one-third of all landfills operating in 1979 were closed by 1986 and of this amount, EPA expects nearly half more to close by 1991.

Some areas now face a short-term crisis and more areas will soon face it, and this is a point I believe worth emphasizing. Other areas are beginning to face the same problem we now face in some Eastern States. According to the National Solid Waste Manufacturing Association, 38 States exported municipal solid waste to another State in 1989. Senators ought to be aware of this. Only 12 States in the country did not export garbage in 1989. So each Senator who is thinking about voting for this amendment should consider the effect this amendment could have on your State.

A vote for this amendment will lead to your State becoming involved in a garbage war.

Mr. President, we need to develop a national response to deal with our solid waste problem. These are questions which must be addressed. But they cannot be addressed in a piecemeal fashion. Interstate transport of solid waste is an integral component of our solid waste policy.

You cannot simply allow States to ban exports without having a comprehensive program for addressing solid waste management.

We need a comprehensive approach to solid waste. The Federal Government needs to respond—and respond responsibly.

We need to cut the waste we generate and recycle the waste we do. Only the Federal Government can regulate products that flow in interstate commerce—to promote recyclable products, and to reduce the use of materials that become an especially heavy burden at the end of the waste stream. We need to promote and disseminate information and technologies to reduce waste which will be generated.

And we need to build better and safer facilities to treat and dispose of waste that cannot be recycled. The Federal Government needs to set tough national standards for landfills and incinerators.

We will be developing this comprehensive policy during the reauthorization of RCRA which is on the calendar or contemplated for the next session. Ideally, it is in the reauthorization process where we should be addressing this issue. And bills introduced by Senators BAUCUS and CHAFEE which I have cosponsored would require States to develop plans to manage their solid waste.

Mr. President, the amendment by the Senator from Indiana also would undercut the ongoing effort to address the waste transport problem and have a draconian effect on States like New Jersey which now export garbage but which are now working hard to become self-sufficient in garbage management.

New Jersey recognized a few years ago that it needed to develop a solid waste program to reduce its exports of solid waste. In 1987, New Jersey enacted one of the Nation's first mandatory recycling laws. Today, New Jersey is recycling 39 percent of its waste and a task force established by Governor Florio has called for a 60-percent recycling rate by 1995. And the distinguished occupant of the chair, a former Governor, knows very well that this is not an easy task and that we all have to work together on it.

New Jersey also has taken an active role with other Northeastern States in developing initiatives to reduce unnecessary and wasteful packaging practices which increase the amount of waste we must dispose of.

Mr. President, New Jerseyites want to take care of the wastes they generate. There is a high level of environmental consciousness in our State.

And there is an economic incentive to manage our wastes in State. Some garbage fees to export solid waste now exceed \$100 per ton. It will cost New Jerseyites an estimated \$1 billion over the next 4 years to ship its garbage out of State.

Mr. President, there is no economic incentive for New Jersey to ship its waste out of State. We simply have a short-term capacity shortfall which we are working hard to correct.

So New Jersey wants to reduce its export of solid waste and already has taken a series of actions to accomplish that goal. But it cannot happen overnight. New Jersey has little landfill capacity left. We are, by way of information, the most densely populated State in the Union. We use every inch of space that we have.

New Jersey closed its open dumps as required by RCRA. Exporting States like New Jersey need time to make the necessary adjustments to reduce their exports.

The amendment offered by the Senator from Indiana does not provide that time. It irresponsibly allows for waste exports to be eliminated without an adjustment period. That is a stran-

glehold. It irresponsibly allows States to impose fees at levels which can have the same effect as a ban; blackmail, if you will. It irresponsibly attempts to establish a piecemeal solid waste management policy.

Mr. President, the other day, the Senator from Indiana described his bill as reasonable. He said his amendment would give States authority to set reasonable fees and reasonable requirements to address out-of-State garbage.

Mr. President, it simply is not so. There are no limits—let me repeat that—no limits on what a State could do under his amendment. And that is one of our major objections to it.

Listen, we do not want to send garbage to Indiana or any other State. That is not a mission of joy that New Jersey has. We are stuck with this just like other States are stuck with problems. Whether it is water problems or Superfund problems, we all have to work together on these major environmental problems. Otherwise, we are going to be in chaos trying to deal with one another.

Mr. President, the amendment needlessly pits States against each other at the same time when the Governors have adopted a policy to have States work with each other.

Now the Senator from Indiana said that his amendment implements the National Governors' Association policy. Again, Mr. President, it simply ain't so.

The National Governors' Association policy asked Congress to do one and only one thing. Let me quote from the policy:

Congress should provide for limited waiver of the Commerce Clause to enable States to adopt and adhere to a comprehensive solid waste management plan that utilizes special fees to compensate them for the costs of managing imported wastes and to reduce the economic incentives of other States to export wastes.

Mr. President, the policy could not be clearer. There is nothing in the policy which says States should be able to ban out-of-State wastes. In fact, the policy goes on to say "total bans on interstate transportation of solid wastes may not lead to the best environmental solution and may hamper movement of material for recycling."

That sounds like an obstacle, not a solution.

And the policy does not say anything about giving States authority to establish unlimited fees. The NGA policy establishes a cap for the fees which would be authorized. That is not the proposal of the distinguished Senator from Indiana.

Mr. President, the amendment assumes that there is a simple answer to the problems I have outlined. All you have to do is close the door, shut them

out. Let States keep garbage out. Let every State fend for itself.

Mr. President, that is not a solution. That is an invitation to disaster.

Rather than promote a coherent national solid waste policy, the amendment from the Senator from Indiana would balkanize environmental policy. It would undercut existing efforts to address the waste crisis.

Now I want to make clear that I am willing to consider a proposal which implements the National Governors Association policy. But that does not include bans of out-of-State waste. And it does not allow States to charge unlimited fees.

And it is interesting that the Senator from Indiana says that he thought his State's garbage regulations were reasonable. According to CRS, that law provides for fees at levels which are capped on out-of-State garbage. So what the Senator from Indiana wants is something more than his own State law would provide.

Finally, Mr. President, this amendment is terribly unfair. A State like mine, in the short term—and many States find themselves in temporary problems, sometimes through natural disasters, sometimes through problems that occurred without anticipation of what the consequence might be. We have no choice. We are jammed to the rafters with the need to find a place and a way to deal with our garbage problem.

So as we search for a solution, and we are actively doing that, we need some more time. If States like New Jersey are prohibited from transporting their trash, we would be set out to sea like the famous garbage barge of a couple of years ago, with no place to go. Garbage would pile up in the streets. The sanitary conditions that might result would be unacceptable in our kind of a civilization.

Everyone knows what happens when you have excesses of trash lying around. It invites vermin, mice, and all of those things, and presents communities with serious health problems.

Until 1988, New Jersey was an importer of garbage. We did not like to do it. We did not want to do it. Our landfills are full of out-of-State garbage. But this was brought on by a condition that existed at the time. Companies and individuals were permitted to have landfill permits. And they accepted this garbage. No one anticipated what the problems might eventually be. It was a legitimate business in those days.

Now those sites are Superfund sites and they leak and they leach and we have to pay to clean them up, and so does the rest of the country. Everyone knows that Superfund is the program that has billions of dollars of funding and is still going to be very insignificant in terms of the total objective when we start adding sites and we re-

alize what the cost is for removal. In fact, the city of Philadelphia, our neighbor to the south, went to the Supreme Court to vindicate its right to dump in New Jersey.

Now that New Jersey landfills are closing, some would shut the door on our State without giving it time to develop solutions.

The Supreme Court held that New Jersey could not bar the importation of that garbage. That was the law. And that is obviously what the Senator from Indiana chooses to change it. We did not want it. We wanted to save the room for our own needs one day in the future. We could not, by law stop it.

Well that is one of the things that has propelled everybody into trying to find a solution to this problem on a national, comprehensive basis. We learned the hard way. Indiana has a similar problem.

But once again we are going to have to work together to solve this problem. The Senator from Indiana may prevail in this debate with his legislation, but that will not be the end of it. If this amendment succeeds, it imposes a penalty that I see as almost crippling our State in order for it to find a solution soon enough to deal with it.

Mr. President, we have to rewrite RCRA to set the standards we expect States to meet. But before we set up those standards to help, we are interrupted in that process by this unfair hit-and-run amendment that has been proposed. Before someone tells a State to go choke on its garbage, as if that were some fate it deserved, we ought to lay out a policy in RCRA, which is the program to deal with this, and then give each of the States a chance to respond.

For years States like Indiana sent, and continues to send, its trash to New Jersey. It is defined differently. It does not come in bags, sacks, plastic bags, bottles, you name it; it comes through the air. It is called acid rain. It helps acidify our forests and lakes and kill the fish and trees and shrubs and everything else. Indiana is a major exporter.

Mr. COATS. Will the Senator yield?

Mr. LAUTENBERG. If the Senator will permit me to finish the thought, I would be happy to respond to a question.

We did not build a wall around the Midwest. We developed in this body, in the committees, in the process, in debate, in discussion, a comprehensive clean air policy.

What we did in that, Mr. President, is we gave States time to adjust to a new condition. Because we knew not only was it unfair, that it might be economically crippling to the States that were subject to these changes, we said, "I do not want any more acid rain in my State," or in New York or New England where the forests are practi-

cally barren in some cases. We do not want that. But, after all, we are all Americans and each of us has to live in this environment. No one is exempt. No one is free. When we have climate change, that global warming affects every one of our families, every one of our farms and everyone in our future generations unless we do something to correct it.

But we did not say shut down your mills, shut down your factories, shut down your plants. No, we said to States like Indiana and other industrial States, we are going to give you some time, 10 to 15 years, to work on this problem. Because we know to do anything else would be irresponsible; to do anything else, in my review, would be un-American.

We should do no less for States with a short-term capacity shortfall during which time they need to export some of their wastes.

New Jersey is moving fast to deal with the problem, Mr. President. But change will not come overnight. Even with aggressive State leadership, it will take time to implement waste reduction, recycling, and waste management programs. The right kind of Federal program can make the States' jobs easier or more difficult.

Mr. President, at the Environment Committee hearing I said I am prepared to work and to work hard to find responsible ways to deal with our garbage crisis. New Jersey has already shown its commitment to that and the action of the National Governors Association points us in the right direction.

Mr. President, as perhaps you have noted, I vigorously oppose this amendment of any other amendment which would railroad through any short-term, ill-conceived proposal that would bury my State. Yes, we create the garbage, and we are working hard on reducing that creation. But we need co-operation, as other States do on other programs, as we solve the problem.

The Senator from Indiana complains about the imports of garbage from the East. I do not blame him. But, Mr. President, for a decade those of us in the East have been complaining, as I earlier said, about imports of acid rain from Midwest States like Indiana.

In 1985 Indiana facilities emitted almost 2 million tons of sulfur dioxide into the atmosphere. Indiana had the dubious distinction of ranking second in emissions of sulfur dioxide.

I think it is important that the Senate understands the effects that this pollution is having on the East. This is the committee report of the Environment Committee on S. 1630, the Clean Air Act amendments of 1990.

Mr. President, I ask unanimous consent to have printed in the *Record* an article in our State's largest paper, "New Jersey's Acid Rain Concentra-

tion Rated Highest in the Audubon Survey."

There being no objection, the article was ordered to be printed in the RECORD, as follows:

[From the Newark Star-Ledger, Apr. 20, 1988]

JERSEY'S ACID RAIN CONCENTRATION RATED HIGHEST IN AUDUBON SURVEY

(By Gordon Bishop)

New Jersey and Massachusetts recorded the nation's highest concentration of acid rain last month during monitoring of rainfall by the National Audubon Society.

New Jersey's rainwater was 30 times more acidic than normal rainfall, based on the March samples.

When rain water is too acidic it damages trees, plants, soil, lakes, streams and marine life, according to the society.

"Audubon's data show many states are being exposed to unacceptable levels of acidity," said Jan Beyea, the society's senior staff scientist. "Nature is sending us warning signals with these low pH readings. Acid rain is taking a toll on our trees, lakes and wildlife."

The pH scale ranges from zero to 14. The lower the pH value, the higher the acidity. Pure distilled water has a pH of 7, while cola soda has a pH of 4 and lemon juice about 2.

Normal rain is slightly acidic and has an average pH of about 5.6. Because the scale is logarithmic, there is a 10-fold difference in acid concentration between one whole number and the next.

For example, rain with a pH of 4.6 is 10 times more acidic than normal rain, and rain with a pH of 3.6 is 100 times more acidic.

New Jersey's rain was below 4, which is at least 30 times more acidic than normal rain.

The acid rain is caused by the combustion of fossil fuels, particularly coal, oil and gasoline.

"There is clear evidence of environmental damage in the Adirondacks, Canada and Europe—and we shouldn't ignore these warnings," Beyea said.

During March, 17 states east of the Mississippi River continuously recorded rain with extremely high acid contents. Below levels of 5 pH, atmospheric pollution is attributed to human-generated emissions, primarily sulphur dioxide from coal-burning industrial and electric power plants, and nitrogen oxide from motor vehicle exhausts.

The acid rain problem in this country won't go away by itself," said Elizabeth Ralsbeck, vice president for government relations in Audubon's Washington, D.C., office. "Our data demonstrate the need for federal action to reduce the pollutants that cause acid rain."

The data are collected by the society's Citizens Acid Rain Monitoring Network.

Legislation to strengthen the 1970 Clean Air Act is pending in the Senate and awaiting full debate. It includes provisions to curtail acid rain-causing pollutants.

The society accused Senate Majority Leader Robert Byrd (D-W.Va.) of blocking the clean air bill, S-1894, from reaching the Senate floor for a vote. West Virginia is a leading coal-producing state.

In late March, 46 senators signed a letter urging senate leaders to schedule debate on the Clean Air Act during the current session of Congress.

Last December, the House voted to shorten the Clean Air Act's deadline for urban areas to meet federal air quality health

standards. The original deadline of two years was pushed back to Aug. 31, 1988, because of the urgency to protect the public health in cities seriously affected by contaminated air.

Audubon's monitoring network has 215 active collection sites in 43 states. The network began collecting samples in July 1987. To verify Audubon's results, the University of California marine laboratory at Bodega Bay is checking 10 percent of the samples at random.

In addition to environmental damage, acid rain also corrodes buildings, statues and bridges, while acidic particles in dry weather can aggravate respiratory problems of millions of Americans, the society says.

Mr. LAUTENBERG. Acid rain is created when oxides of sulfur and nitrogen are emitted—most often from electric utilities—and then transformed in the atmosphere or on surfaces into sulfuric and nitric acids. The process is relatively straightforward.

Sulfur [S] is contained in almost all fossil fuels, but especially coal. When burned, the sulfur combines with the oxygen in the air to create sulfur dioxide [SO₂].

Sulfur dioxide [SO₂] is a colorless gas, so it cannot be seen with the naked eye. It is, nevertheless, a powerful lung irritant which can cause lung seizures in asthmatics and other sensitive groups. When SO₂ is transformed into sulfate—a process which begins almost immediately—it escapes regulation under the Clean Air Act. SO₂ emitted by powerplants and other industrial sources combines with oxygen in the atmosphere to form sulfate [SO₄].

Sulfate [SO₄] is an extremely fine particle, capable of reaching the deepest recesses of the lung. Coincidentally, the sulfate particle is also perfectly sized for reducing visibility. This is one reason that airport visibility measurements are sometimes used as a surrogate for sulfate concentrations. When sulfate settles out of the air onto leaves, buildings, or other surfaces it attracts water, which converts it into sulfuric acid [H₂SO₄]. If inhaled, the lung's own moisture supports the conversion. And, if the SO₄ is washed out by the air by fog, clouds, mist, or rain, it has become "acid" rain, as it is popularly called.

Sulfuric acid [H₂SO₄] is powerfully corrosive and can therefore directly damage tissues and materials. But it can also start a chemical reaction of its own, with effects that ripple through an ecosystem. When common dirt is washed in acid, heavy metals that were tightly bound to the soil particles—aluminum, lead, and mercury—are three examples—are dissolved, entering the water runoff in massive quantities. Aluminum, for example, increases 1,000 percent for every 100 percent increase in rainfall acidity. Thus if the acidity of rain increases 10-fold—which almost all agree is a fair definition of how acid today's acid rain

is—the aluminum content of rainwater runoff increases 10,000 percent.

Exactly what damages can be fairly attributed to aluminum and other heavy metals freed by acid rain has not been sorted out completely. It is well established that the aluminum is extremely toxic to fish if it reaches lakes and streams. Many scientists believe that it is aluminum which is primarily responsible for the losses of lakes throughout Scandinavia, Canada, and New England, rather than the sulfuric acid itself. It is equally clear that some of the other heavy metals—especially lead, cadmium, and mercury—can pose a serious threat to human health as drinking water contaminants. Whether they are reaching these dangerous levels because of acid rain and, if so, in how many cases, is unclear.

Nitric acid [HNO₃]. Nitrogen undergoes a fairly similar process of conversion: Nitrogen [N₂] combines with oxygen [O₂] to form several different oxides [N₂O₂, N₂O, NO₂, etc.]. These, in turn, form nitrates which, when exposed to water convert to nitric acid. There are, however, some important differences.

Oxides of nitrogen [N₂O₂, N₂O, NO₂] can be created because nitrogen is found both in fuels and in the air. Roughly 80 percent of the air is nitrogen, and almost all fuels other than natural gas also contain it. But the oxides are not formed until the heat and pressure of the combustion process are brought to bear. The combustion may take place in the cylinder of a car or the furnace of a giant coal-fired powerplant. But in either case, the combustion temperature and pressure are determinants of how much nitrogen is converted to oxides of nitrogen.

These oxides, like SO₂, are irritants which are regulated under the Clean Air Act. And, again like SO₂, they escape its coverage when they combine with oxygen to form nitrates [NO₃].

Nitrates [NO₃], like sulfates, are fine particles which can reach the cellular levels of the lung. Unlike sulfates, nitrates and other nitrogen-based compounds are considered beneficial to vegetation because they are plant nutrients. For this reason, some scientists and policymakers have tended to minimize the role which oxides of nitrogen, nitrates, and nitric acid have played in the damage caused by acid rain and plans for its control.

Within the past several years, however, as scientists have searched for plausible explanations for the forest damages found throughout much of Europe and Eastern North America, they have begun to question whether one answer might be an "over fertilizing" effect of nitrogen compounds. There have also been suggestions that

nitric acid could free heavy metals before being taken up by vegetation.

Nitric acid [HNO_3] thus may or may not be the equal of sulfuric acid in terms of the damages caused by acid rain. But the bill, including this title, imposes additional controls on nitrogen for reasons in addition to concerns over acid rain; namely, the role which it plays in the formation of ozone.

Ozone [O_3], better known as an ingredient in "smog", is the indicator for a variety of chemicals which are formed when the combination of nitrogen and organic chemicals, e.g., gasoline, are exposed to sunlight. Ozone is a powerful bleach, so effective at destroying organic matter that is used by some cities to disinfect their drinking water supplies.

Although the chain of chemical reactions which leads to the formation of ozone and other oxidants is not completely understood, there is no disagreement that there are three essential ingredients. Without all three, ozone is not formed in substantial quantities. These are hydrocarbons, oxides of nitrogen, and sunlight. Historically, the Federal Government has relied on a strategy on controlling ozone by controlling hydrocarbons emissions. This has achieved mixed results, leading some States to begin implementing a strategy based on controlling oxides of nitrogen. California has been the leading advocate of this approach and, according to State officials, has enjoyed considerable success.

Both ozone and acid aerosols pervade the atmosphere of eastern North America. Any one of them may pose a potent threat standing alone. But in combination, their impacts are multiplicative. This has been established in laboratory studies, but the extent to which these experiments represent the real environment is unclear. Nitrogen and its compounds, however, play a substantial role whether the specific problem being examined is acid rain, ozone, or the synergistic effects of the two.

The transport and dispersion of gases and particles over distances from tens to thousands of kilometers has been an active area of scientific study for many years. Even before the problem of acidic deposition had been recognized, research on how materials are carried by the winds was already extensive. This earlier body of work, together with more recent studies forms the basis for present efforts to understand the transport of acid-forming substances.

According to the 1987 Interim Assessment of the National Acid Precipitation Assessment Program, the major factors controlling transport and dispersion are the character and movements of meteorological systems. There are two extremes with a spectrum of variations in between:

First, strong, fast-moving cyclones that have the potential to transport large amounts of pollutants rapidly across North America. Generally occurring in winter and spring, these systems bring with them strong horizontal winds, vertical wind shear, and widespread precipitation.

Second, weak, slow-moving high pressure systems that allow sufficient time for slower-acting processes such as thorough mixing to take place. These systems occur more frequently in the summer and fall and are characterized by local convective storms, primarily near their periphery.

In the case of the storm systems, pollutants may move rapidly hundreds to thousands of kilometers downwind from their sources with limited removal. In the case of slower moving systems, pollutants are mixed vertically causing a buildup of concentrations. These paths represent the directions the predominantly winter storms would take, promoting strong flow conditions.

Whether the movement is rapid or slow, the transport of pollutants is a major determinant of local air quality. As a result, areas which ought to have quite satisfactory air quality, instead experience ambient levels of air pollution approaching, or even exceeding, those of industrialized areas. In some cases, such areas have aggressively implemented air pollution controls, risking the loss of industry to other regions or States. In others, the areas may have little or no industry and depend heavily on tourism or recreation, which may be threatened by the imported air pollution and its associated damage.

AQUATIC EFFECTS

The best known environmental effect of acid rain is the damage to aquatic ecosystems. Fish populations decline concurrently with acidification. Fish reproduction requires pH levels above 4.5. Below a pH of 5, death of adult fish begins to occur. More importantly, at pH levels near 6.0 many species which constitute key elements of the aquatic food chain disappear. Thus Schindler, et al. has demonstrated effects to the food chain causing severe damage to the ecosystem at pH levels of 5.93 to 6.13. According to EPA's critical assessment review papers: "Biological effects due to acidification occur for a few species near pH 6.0. Because the biological response to acidification is a gradual one, continuing pH declines below pH 6.0 will result in escalating biological changes with many species adversely affected in the range of pH 5.0-5.5."

Species such as frogs and salamanders breed in pools formed from spring snowmelt water. Correlations between pH and amphibian mortality and embryo deformity have been observed. Shellfish are also especially sensitive

to low pH values. Molluscs are unknown in waters below pH of 6.0.

Recently, a decline has been observed in the population of the black duck in the Atlantic flyway. Between 1955 and 1973, black duck populations declined by 50 percent, mallards declined by 35 percent, ringed neck ducks have declined by 79 percent and the common goldeneye by 54 percent. This decline has not been observed in three other flyways where acid deposition is less severe. The decline also occurred during the period of greatest emissions increase, 1955-73. Researchers at Patuxent Wildlife Research Center found that the mortality of young black ducks raised on experimentally acidified wetlands may be increased by as much as three times the normal rate. Gastropods, a crucial element of the ducks food chain providing protein and calcium, do not survive in acidic waters with a pH of less than 6.0. Decreased protein has been shown to have a direct correlation with egg production. Captive mallards fed 50 percent less protein laid 50 percent less eggs. Although the decline of the black duck and similar species may be due to factors other than acid deposition, acid deposition emerges as a leading candidate of concern.

In addition to the damage caused by a long-term decrease in pH, the survival of fish in acidic waters is influenced by increased concentrations of pollutant in spring snowmelt. This phenomenon is referred to as "acid shock" or "acid pulse." Mass mortalities of fish have been observed due to increased concentrations of acidity and heavy metals mobilized by spring snowmelt. Because this phenomenon occurs during a vulnerable point in many species lifecycle, the damage may be especially severe.

Disappearance of fish from natural waters has been documented in the Northeastern United States. According to a 1984 report by OTA, in the Adirondack mountains, at least 180 former brook trout ponds will no longer support populations. A survey of 214 Adirondack lakes conducted in 1975 revealed that 52 percent had surface pH levels below 5.0 and that 90 percent of these lakes were entirely devoid of fish life.

According to the 1987 National Acid Precipitation Assessment Program [NAPAP], Interim Assessment, based on the National Surface Water Survey conducted by EPA, 5 percent of the lakes in Southern New England had pH levels less than 5.0 an additional 5 percent had pH levels between 5.0 and 5.5 and 15 percent of the lakes surveyed had pH levels between 5.5 and 6.0. The results for the Adirondacks show even more damage: 10 percent of the lakes had pH levels below 5.0, 10 percent had pH levels between 5.0, and 5.5, and 27 percent had pH levels be-

tween 5.5 and 6.0. In the Upper Peninsula of Michigan, 18 percent of the lakes had pH levels below 6.0.

A recent study by the Ontario Ministry of the Environment, Dillon, Reid et al., 1987, has documented a historic change in pH in Plastic Lake, ON, during the period 1979-85. Direct observation and sampling of the lake indicated that a threefold decrease in alkalinity and a decrease of 0.2 pH units occurred during this period. Because the researchers noted a decline in organic acids of terrestrial origin, they conclude that decreased acidification and biological damage to Plastic Lake is dependent upon reductions in strong acid/SO₄ deposition. Based on chemical surveys, the study notes that Plastic Lake is typical of many thousands of lakes in Eastern North America. The study also states that: "The biota of Plastic Lake have experienced major detrimental effect in the past 8 years including fish kills, extinction or near extinction of mollusc species and amphipods, as well as proliferation of acidophilic filamentous algae."

Since aquatic population survival is clearly dependent upon acidity, the vulnerability of lake regions to acidification is used to assess and predict damage to aquatic populations. Because lakes are formed by relatively large watersheds, the largest amount of acid does not fall directly as rain into lakes and streams but passes over and through soil and bedrock before entering an aquatic resource as nitric acid and sulfuric acid pass over soils and rock they are subject to a variety of reactions. The most important of these reactions are those that buffer the acidity. Surface topography plays an important role in the rate and frequency of these reactions. Steep mountain slopes allow little chance for buffering to take place. The ability of a lake and surrounding soil to buffer acidity is frequently referred to as Acid Neutralizing Capacity or ANC. ANC is measured in microequivalents per liter of water or (ueq/l). A lake with a high capacity for acid neutralizing may have an ANC of 500 ueq/l.

Lakes with extremely low ANC (0-40 ueq/l) are considered "highly sensitive" to acid deposition, according to the Office of Technology Assessment [OTA]. Regions with numerous lakes and streams of low ANC include the Northeastern United States, Southeastern Canada, the upper Midwestern United States and mountain regions of the American West. Once the ANC of a lake is completely utilized the lake becomes incapable of further buffering and is considered "acidified."

Studies conducted by the U.S. Environmental Protection Agency [EPA] conclude that in the Northeastern United States, 19 percent of lakes have an ANC of less than 50 ueq/l and 60 percent of lakes have an ANC of less than 200 ueq/l. Fifteen percent of the

lakes in the upper Midwest are estimated to have ANC of less than 50 ueq/l. In the Western United States, approximately 16.8 percent of lakes have an ANC of less than 50 ueq/l. Although these surveys are not complete (in fact the Western lakes survey was conducted during the fall, when pH levels are the most stable), they do suggest that further damage to aquatic resources, both in the East and West, can be expected in the absence of further control.

There have been two large scale lake surveys performed in recent years to estimate the extent of surface water acidification in the United States. The first was the National Surface Water Survey [NSWS], which can be used to predict the status of the 10,758 lakes in the Northeastern United States of greater than four hectares in size. Of these, a subset were chosen as representative, and sampling showed that 5 percent had no remaining acid neutralizing capacity.

The validity of these results was born out by the second major lake survey, performed in conjunction with the joint EPA/NAPAP Direct/Delayed Response Project [DDRP]. The majority of this project's findings are described in the paper, *Future Effects of Long-Term Sulfur Deposition on Surface Water Chemistry in the Northeast and Southern Blue Ridge Province* [Church and Thornton, et al., U.S. EPA, 1989]. This project involved a survey of 3,227 lakes in the Northeastern United States, once again with a surface area of four hectares or greater. Of these, 5 percent (162) had no remaining acid neutralizing capacity.

The purpose of the DDRP study was to determine whether acidification was direct (i.e. and immediate response to deposition) or delayed (because of soil and watershed characteristics). The study found that acidification and deacidification tends to be delayed. The report states that, "Northeastern watersheds are projected to respond relatively rapidly (i.e., with a lag time of 10 to 20 years) to changes in sulfur deposition." Further, the study predicts that a 30-percent reduction in acid deposition will reduce by 50 percent the number of acidified lakes in the Northeast.

The study also concluded that lakes in the Northeast are in a steady state with regard to acidification. If emissions continue at current levels, according to this theory, pH and ANC levels will remain relatively constant. However, the study found that for the Southern Blue Ridge area, constant emissions will lead to decreasing lake pH and ANC. Because soils in the Southeastern United States have a higher capacity for temporary retention of sulfur, there is a considerable lag in the response of aquatic systems. Surface water acidification in this

region is delayed as a result, but damage to lakes and streams in the Southeast will also be more difficult to reverse. Data for lakes and streams in the Mid-Atlantic Appalachian region have not yet been published.

The "steady state" hypothesis has been disputed by several sources, including the Plastic Lake study cited above. Because there is no long-term data, it is impossible to say that lakes are in a steady state. Biological effects can lag for years behind the chemical steady state.

Furthermore, both DDRP and NSWS data are not representative of true conditions because lakes with a surface area of less than four hectares were not sampled. There are many such lakes in mountain regions that fall below this size cutoff, which was used by both studies to simplify the task of sampling. Furthermore, it appears that these small lakes acidify more easily than larger lakes.

Some light can be shed on the effect of this exclusion using data collected by New York State Adirondack Lake Survey Corporation [ALSC]. The ALSC was created by New York State to perform a detailed survey of lakes in the Adirondack mountains. Between 1984 and 1988, the ALSC sampled 1,469 lakes in the Adirondacks, including lakes smaller than one acre. This sample represents 53 percent of the total number of 2,772 lakes in the region.

For example, NSWS data show 11 percent of Adirondack lakes with no remaining acid neutralizing capacity. ALSC sampling for the same region found that 26 percent of lakes have no remaining acid neutralizing capacity. The ALSC survey also found no fish life whatsoever in 24 percent of the lakes sampled. The disagreement between the two data sets can be explained largely by the inclusion of smaller lakes. ALSC data for lakes larger than four hectares agrees substantially with NSWS data.

Because lakes with very low acid neutralizing capacity are especially vulnerable to acid deposition, the OTA has estimated that in the Eastern United States, approximately 3,000 lakes and 23,000 miles of streams have already become acidified or have virtually no acid neutralizing capacity left. In Canada, the Ontario Ministry of the Environment has estimated that 10,000 lakes in the eastern part of the country are currently acid altered.

Without further controls, much more extensive damage is possible. Based on the observation that 25 percent of the land in the Eastern United States is not sufficiently buffered to prevent acidity from being transported to bodies of water, OTA estimates that 117,000 lakes and 112,000 miles of streams are vulnerable to damage by acid rain.

Recent findings suggest that coastal waters are also being damaged by acid rain. A 1988 study by scientists at the Environmental Defense Fund found that one quarter of all nitrogen contributed by human activity to the Chesapeake Bay originates as acid rain and associated dry deposition falling directly into the Bay and its watershed. The decline of coastal estuaries is attributed in large measure to increased nitrogen, causing excessive growth of algae which chokes off light and oxygen supply to other marine life. Only fertilizer runoff surpasses atmospheric nitrogen as a source category in the Chesapeake Bay.

Forest resources.—Recently, several cases of unexplained regional scale forest decline have been observed throughout the United States. Reported forest declines include white pine in the Eastern United States, red spruce in the Appalachian mountains, yellow pine in the Southeastern United States and declines in Canadian sugar maple. In the San Bernardino mountains near Los Angeles, ozone has been unambiguously identified as the primary causal agent in forest decline, according to NAPAP. Ozone has also been determined to cause visible injury to sensitive genotypes of white pine throughout the Eastern United States. Although the greatest amount of current attention centers on ozone's role in forest decline, the effects of increased acidity of rain and increased levels of sulfur dioxide are also thought to contribute to forest decline. Because many of the more prominent cases of forest decline occur in above cloudbase forests, where ozone levels are high and the rainfall is highly acidic, the combined effects of acid rain and ozone are difficult to distinguish.

According to NAPAP, red spruce, located from sea level in coastal Maine to 1,500 meters in the Appalachian mountains, have experienced a decline beginning in the 1950's. Initially, according to NAPAP, the decline was only evident at high altitudes but more recently, growth reductions and foliar symptoms have been observed at low levels as well.

According to NAPAP, studies by Siccamo et al. (1982) and Scott et al. (1984) show that the decline is the most severe at areas of high elevation; on Camel's Hump and Whiteface Mountain in the northeast, there has been a 30 percent to 70 percent decrease in live spruce since the mid-1960's. Declining spruce trees typically die back from the top of the tree downward and from the outside of the tree inward. These damage patterns are reversed for lower elevations along the coast of Maine. These latter symptoms are similar to symptoms reported for Norway Spruce in Central Europe. Jagels (1986) examined spruce cores from sites off the Maine coast and

found that growth reductions and foliar symptoms were the most severe for sites within thin organic soils on granite bedrock. According to NAPAP, the author argues that these effects are remarkably similar to those observed in central Europe where nutrient leaching on poor soils is strongly suspected.

Yellow Pine in the Southeastern United States has also experienced a widespread decline although no visible symptoms of damage are present. In Georgia, fully grown stands of yellow pine examined on mountain sites during 1972-82 were found to be only 25 to 50 percent as tall as yellow pine stands of similar age at similar locations had been during 1956-61. As a general matter, researchers express concern that chronic, mutually aggravating stresses from ozone and acid deposition may be responsible for the reduction. Such a situation would have extraordinary economic implications for this major wood producing region of the country.

Crown dieback symptoms have also been reported for sugar maple in Southeastern Canada and in the Northeastern United States. Sugar maple as a source of maple syrup is a major economic concern in these areas.

Although air pollution and acidic deposition are not yet fully confirmed as the primary causal agents responsible for most forest decline observed in this country, studies conducted in the laboratory have shown acute and chronic injury in deciduous and coniferous seedlings and saplings when exposed to simulated acid rain solutions of pH less than 3.0. Chappelka and Chevone (1986) found that root growth in white ash seedlings was 12 percent less for seedlings exposed to simulated acid rain of pH 3.0 than for seedlings exposed to rain at a pH of 5.6. Raynal et al. (1982) observed that germination was inhibited for red maple and yellow birch seeds upon exposure to soil of pH 3.0. Exposure to SO_2 has been found to predispose plants to disease. Sulfur dioxide is readily absorbed by plants in both dry and wet forms and is dissolved inside the plant leaf to create sulfuric and nitric acids. These acids alter cellular biochemistry causing acute injury and death.

A recent study, Zoetl and Huettl, 1986, identified acid deposition as the primary growth-limiting factor in high altitude Norway Spruce in southwestern Germany. Forests in this region have experienced serious decline, and trees exhibit disease symptoms which are similar to those observed in North America. Together with photooxidants, acid deposition was found to cause increased leaching of easily mobilized nutrients from the soil. When these nutrients were reintroduced to

the soil on several test plots, the trees recovered.

The effects of point source emissions of SO_2 on nearby forest ecosystems are well documented. Freer-Smith (1984) exposed various hardwood seedlings to sulfur dioxide concentrations of 100 parts per billion [ppb] for 104 hours per week for 60 weeks. A 20- to 50-percent reduction in total shootweight was observed. Such an exposure, a weekly average of 62 ppb, is well within the 100 to 200 ppb range which NAPAP estimates occurs near point sources and in urban areas. Ponderosa pine, after 7 months of exposure to 150 ppb sulfur dioxide, exhibited pathological changes in mesophyll cells according to Karenlampi and Houps (1986).

Exposure of red and jack pine to sulfur dioxide levels of 100 ppb for 40 hours per week for 9 weeks resulted in a 10- to 20-percent reduction in height and growth according to Riding and Boyer (1983).

According to the Congressional Research Service, one estimate of the forest related damage by Crocker concludes that close to \$1.75 billion (1978 dollars) in forest related damage occurs in the Eastern United States each year as a result of air pollution and acidic precipitation. Crocker estimates the damage that would not occur under pristine conditions and includes losses from outdoor recreation, water storage and wildlife habitat as well as timber losses. A similar study by Callaway et al. estimated that if radial growth of forests were reduced by 10 to 20 percent annual losses would be approximately \$340 to \$510 million for the Adirondacks alone.

MATERIALS DAMAGE

Acid rain is known to cause materials damage. Among the materials affected are building stone, rubber, zinc, steel, leather, paint, and textile. Acid rain is thought to accelerate rust by as much as 30 percent. Acid rain contributes to premature soiling of paint and other materials. Two kinds of materials damage exist. Acid rain may damage culturally significant buildings and statuary. The effect of this damage is difficult to quantify, often irreplaceable artifacts may be destroyed. Massachusetts estimates that it spends \$13 million per year refurbishing culturally significant buildings and statuary. A study by Callaway focusing on the maintenance costs for historical structures in 17 Eastern States estimated that between \$22 million and \$107 million is spent annually.

Acid rain may also damage replaceable materials such as rubber and steel. Although these losses are potentially quantifiable, they too are difficult to estimate. In general, acid rain accelerates naturally occurring damage and is not the sole source of materials degra-

dation. Still estimates of the cost savings available from a major reduction in sulfur dioxide emissions range into the billions of dollars. According to the Congressional Research Service, dollar values are placed on only a few common materials which may underestimate total materials damage.

According to Salmon, based on a study of 32 construction materials, these 32 materials represent only 40 percent of construction materials exposed to air pollution, the nationwide cost for 1968 was \$3.8 billion in damage due to air pollution. A 1974 paper issued by EPA estimated that the nationwide cost of air pollution damage to materials is approximately \$2.2 billion annually. Ozone damage to rubber alone has been estimated to cost \$395 million by Mueller and Stickney. Cleaning costs for households and for exterior paints have been estimated by Liu and Yu of EPA's Office of Research and Development to cost \$36.2 billion annually. The effect of acidic deposition on materials in 17 Midwestern and Northwestern States was estimated to be close to \$2 billion in 1984 dollars by Mathtech.

VISIBILITY DAMAGE

Emissions of SO_2 and NO_x contribute to visibility impairment. Sulfates and nitrates that do not fall to the Earth as acid rain remain suspended in the air scattering light and creating regional haze. Visibility impairment is frequently perceived of as a surrogate for air quality. Visibility impairment has a negative aesthetic impact, particularly in national parks, and an impact on transportation operations, especially air traffic. Visibility is generally worse in the summer than in the winter.

Extension data exists on visibility in the form of visual range estimates made by trained observers at airport weather stations. Based on this data the National Academy of Sciences has concluded that: "It is now well established that, on average, sulfates and associated water account for about 50 percent of visibility reduction in the East, slightly less in urban areas, but somewhat greater in nonurban areas." According to NAS, one study indicated that sulfates and associated water in nonurban areas accounted for approximately 75 percent of the light extinction.

According to NAS, the area of greatest light extinction—worst visibility—occurs east of the Mississippi and south of the Great Lakes. This area also corresponds to some of the worst air quality in the country.

Visibility is a major issue in the national parks. Air pollution in the Grand Canyon impairs visibility approximately 100 days per year. Studies by the National Park Service have determined that sources as distant as 300 miles contribute significantly to air quality degradation in some parks. Air

quality is endangered in approximately one-half of the national parks. Visual range in the eastern United States, including in national parks, such as the Shenandoah, is frequently less than 15 miles.

Estimating the cost of decreased visibility is difficult. Latimer, et al. have estimated that the value of good visibility is approximately \$2 per person per year. Based on this assumption, a 13 percent increase in visibility is worth approximately \$4.2 billion.

A study funded by the Electric Power Research Institute examined the value to visitors of improving visibility at the Mesa Verde National Park and the Smokey Mountain National Park. The study concluded that total annual benefits to be derived from increased visibility at the Smokey Mountain National Park ranged as high as \$8.5 to \$10.5 million.

LINEARITY

One important issue related to transport is the linearity of the relationship between emissions and deposition. Because of the variety of deposition methods and the effect of atmospheric chemistry and transport, suggestions have been made that there may not be a linear correlation between emissions and deposition.

This counterintuitive view remains unsupported. The National Academy of Sciences [NAS] has concluded "there is no evidence for a strong nonlinearity in the relationships between long-term average emissions and deposition." Because reactions with NO_x take place rapidly and efficiently, NAS concluded that any nonlinearity would be a function of SO_2 emissions alone and would therefore reveal itself in a difference between the regional deposition ratio of NO_x and SO_2 . Since the percentage of deposition for both precursors is approximately equal, locally as well as when transported, NAS concluded that, "It is therefore improbable that the oxidation of SO_2 is sufficiently hindered by a lack of oxidant to cause a disproportionately small reduction in precipitation as a result of a given reduction in SO_2 emissions."

On the contrary, evidence collected by the National Acid Precitation Assessment Program suggests that reductions in total regional emissions will lead to comparable or nearly comparable reductions in ambient levels.

The 1987 assessment concluded that in the Eastern United States sulfate aerosol is more uniformly distributed than sulfur dioxide, and reported the following:

High concentrations of sulfate aerosol can build up in stagnating air masses as sulfur dioxide is converted to sulfate aerosol. During a sulfate episode, high sulfate aerosol concentrations may exist over large areas and persist for several days. Sulfate episode conditions on a regional scale occurred about one-fifth of the time in the Northeastern United States during the EPRI-SURE study.

The assessment did not directly confront the validity of the findings contained in the 1986 NAS/NRC report Acid Deposition Long Term Trends cited earlier. However, the Assessment did state that NAS/NRC conclusions were consistent with the extensive work undertaken by NAPAP, as well as that of other researchers. Specifically, the NAPAP assessment said the following:

The qualitative interpretation of tendencies given in the National Research Council report is consistent with the results of the more quantitative analyses. . . . A highly probable, but not yet verified, explanation for the decrease in sulfate concentrations is the very similar trend in sulfur dioxide emissions in the eastern United States.

It may not be possible during the foreseeable future to conclusively demonstrate whether the relation between emissions and deposition is linear or nearly so or nonlinear. However, the convergence of different lines of evidence combined with the nearly total absence of other evidence to the contrary suggest that the relationship is linear or very close to it. Given the fact that the accumulation of evidence has strengthened the credibility of the NAS/NRC conclusions, some of the most relevant of them bear repeating:

First. There is a strong association between emissions densities of SO_2 , concentrations of sulfate aerosol, visibility ranges, wet precipitation concentrations of sulfate and sulfate fluxes in studied streams.

Second. Since the 1920's SO_2 in the Northeastern United States has fluctuated at or near current levels.

Third. Regional differences over time in amounts of SO_2 emissions did not appear until about 1970. Since that time, evidence of deposition indicates that greatest rates of increase have been in the Southeast, with somewhat lower increases in the Midwest and slight decreases in the Northeast.

Fourth. Changes in stream sulfate were, on a regional basis, consistent with changes in SO_2 emissions.

Fifth. Data on some lakes suggest that changes in their alkalinity have occurred during the past 50 years, but these are too great to have been caused by increases or decreases in acid deposition alone. They most likely resulted from other human or natural activities; that is, changes in land use.

In summary, there is every indication, from all available evidence, that reducing emissions on a regional scale will reduce acid deposition on a regional scale on a one-to-one basis, or something close to it.

HUMAN HEALTH

There is no disagreement among medical researchers that precursors of acid rain are a serious health threat.

Collectively, the pollutants which form acid rain pose a threat to human health so severe that one leading researcher and pediatrician from the Mt. Sinai Medical Center in New York described them as the third leading cause of lung disease in the United States, trailing only active and passive cigarette smoking. In testimony before the subcommittee in February 1987, Dr. Philip Landrigan stated:

There is a limit to what you, as Senators can do about people's desire to smoke. With regard to occupational exposure, you have good laws on the books, but you have the problem of having to enforce those laws through hundreds of thousands of workers across the country. That is obviously a mind boggling task even if OSHA were up to it.

But in the case of acid rain, there is really a finite number of major sources of acid air pollutants. They can be targeted with relative ease. In fact, they have been pretty well targeted already by the EPA. A few swift and sure legislative strokes could deal with these sources.

Several lines of converging evidence—epidemiologic studies of populations, controlled studies of human volunteers, and toxicologic studies in cell systems and animals—all indicate that current levels of acid air pollution produce substantial adverse health effects in certain segments of the American population and particularly in children. These are detailed in a February 27, 1989 CRS Report for Congress entitled "Health Benefits of Air Pollution Control: A Discussion."

Studies of animals forced to breathe a fine mist of sulfuric acid show that the subjects are less able to mobilize the lung's defenses and clear foreign matter from their respiratory systems. Because human and animal lungs react in the same way, there is serious concern that humans breathing an acid mist will also lose their ability to defend against pollution changes.

The most troubling aspect of this is that such changes are one of the signals of bronchial disease. Thus, if the suggestions of the animals studies are correct, similar reactions would be expected in humans. Specifically, researchers would expect colds, and bronchial infections and even deaths to increase when acid levels are high and decrease when they are low. This is what has been found.

The most significant human health research suggests that air pollution may play a role in increased human mortality. According to recent studies by Harvard public health researchers, between 2 to 4 percent of the excess deaths in New York City are due to air pollution. On a national level, ambient levels of sulfates and fine particles were found to have a consistent association with higher mortality, ranging from between 3.4 to 4.9 excess deaths per year per 100,000 people per part per million. This translates into approximately 5 percent of annual

excess mortality being associated with sulfate and fine particle pollution.

Researchers at the National Bureau for Economic Research have estimated the impact of specific air pollutants on race specific neonatal mortality rates. According to the researchers:

The results suggest that sulfur dioxide is the dominant air pollutant in newborn survival outcomes. There is also evidence that an increase in sulfur dioxide raises the neonatal mortality by raising the percentage of low-birth weight births. Based on marginal willingness to pay computations, we estimate that the benefit of a 10 percent reduction in sulfur dioxide levels ranges between \$54 million and \$1.09 billion in 1977 dollars.

In 1989 dollars, this range is \$102 million to \$2.06 billion. The researchers note that the infant mortality rate is approximately equal to the mortality rate of 55 to 64 years olds.

Published results of the highly regarded "Harvard Six-City Study" found that exposure to acid air pollution, particularly to fine particles associated with airborne sulfates, produces respiratory symptoms in children. In this study, public health researchers from Harvard University studied the relationship between ill health and air pollution in six cities representing a spectrum of severity of air pollution. Their results show a direct linear relationship between acid aerosol concentrations in these six cities and incidence of bronchitis in children. This effect is seen in both children with a prior history of wheezing, as well as in children without such history. The effect is greater, however, among children who wheeze. Researchers are currently expanding this study to 24 cities.

One group of individuals that is especially sensitive to the precursors of acid rain is asthmatics. Asthma is one of the leading diseases afflicting children under 18, causing more hospitalizations in this group than any other disease. According to the American Lung Association, as much as 8 to 10 percent of the population may have asthma. Approximately one third of all asthmatics are children under 18. Up to an additional 20 percent of the population has "hyperactive airways," which cause a reaction to air pollution similar to that observed in asthmatics.

Each year, asthma accounts for 48 million days spent in bed, 111 million days of restricted activity, and 9 million days lost from work. This disease accounted for 6.5 million doctor visits in 1985 and 454,000 hospital discharges in 1987. In 1985, 51 million prescriptions were filled for asthma, a 200-percent increase since 1972. The incidence of asthma appears to be increasing, and air pollution is one of the causes under study. The asthma-related death rate doubled between 1977 and 1986.

Asthmatics, without other health programs, when exposed to levels of sulfur dioxide as low as 0.25 parts per

million (ppm), for exposure periods as brief as 5 minutes during exercise develop symptomatic and objective evidence of bronchial constriction, or tightening of the airways. Short-term exposure to 0.3 ppm of nitrogen dioxide increases the incidence of exercise induced bronchoaspiration and airways hyper-reactivity in such asthmatic subjects. Acid air pollution is capable of producing pulmonary dysfunction, bronchial constriction and wheezing. These effects are exacerbated by exposure to cold air.

Many studies document the coincidence of hospital admissions and exposure to acid aerosols and sulfur dioxide. In a series of studies conducted in Southwestern Ontario between 1974 and 1978, researchers found that admissions to hospitals were significantly correlated with levels of sulfate and ozone, as well as with temperature.

Pulmonary function in primary school children in the Netherlands was measured before, during, and after the January 1985 acidic pollution episode which caused elevated exposures throughout northwestern Europe. During the episode, the Dutch children were exposed to respirable particulate and SO₂ concentrations in the range of 200-500 µ/m³. Their baseline respiratory functions had been measured 4 to 6 weeks earlier, when the pollutants were below 100 µ/m³. During the episode, the children experienced a 3- to 5-percent decrease in lung function, which was still present 16 days later.

During the same episode, average concentrations of SO₂ and suspended particulates were 800 and 600 u/m³ in the Ruhr District in West Germany. As a result there were significant increases in deaths, hospital admissions, outpatient visits and ambulance deliveries to hospitals when compared to a neighboring less polluted area.

Populations at particular risk are children whose respiratory systems are much more narrow and less well developed and whose rates of ventilation are higher than adults. Thus, minor irritation caused by air pollution, which would produce only a slight response in an adult, can result in a dangerous level of swelling in the lining of the narrow airway of a child. Moreover, children's airways are small and they have markedly increased needs for oxygen for their size. They breathe more rapidly and inhale more pollutant per pound of body weight than do adults. If during the early years of life a child is highly exposed to air pollutants, the risk of long-term damage to the lungs increases.

Another factor which makes children more vulnerable than adults to air pollutants is their increased frequency of respiratory infections. The interactions of the infectious process with irritating pollutants intensify the

damage to the airways. Furthermore, the processes for repair of damaged airways are less efficient in children than in adults because of the small caliber of the airways and the resultant partial obstruction to the flow of air.

Other groups particularly at risk are the elderly and adults with preexisting chronic heart or lung disease.

Respiratory disease and symptoms represent the largest and best documented category of health effects. However, evidence suggests that there may also be indirect health effects linked to acid rain.

Increased acidity in drinking water can mobilize heavy metals. Acidified waters can dissolve such toxic metals as aluminum, copper, lead and mercury. It can also release such toxic substances as asbestos from soils and rocks in watersheds, lakes and from drinking water distribution systems. The effects of exposure to these contaminants are well known, ranging from headaches to possible death.

Of particular concern is lead and mercury. Acidification of drinking water sources significantly increases lead content. Lead water pipes become particularly hazardous as water acidity increases. The effects of lead on the brain function are increasingly reported. These effects include adverse effects on children's behavior and intelligence.

Mercury can occur as several species. Of concern here is methyl-mercury, which has a tendency to bioaccumulate in nature—a tendency dependent on acidification. These effects of methyl-mercury on the fetus are the best documented example of a metal compound that affects the development process of the central nervous system including postnatal growth retardation.

McDonald (1985) estimates that between 25,000 and 350,000 people in the rural Northeast alone may drink water exceeding the standard for lead, cadmium, or mercury. Although the influence of acid deposition on levels of these metals in drinking water is not firmly established, any increase in acidity is likely to result in increased erosion and is thus a major source of concern.

That is a pretty horrendous condition. What we find is that 92 percent of the streams in our climate, a nature preserve, is polluted with acid rain. That was found in an EPA study. New Jersey rainfalls are 30 times more acidic than normal, higher than every State. That is what Indiana is shipping to New Jersey. They do not have to stop until the next century.

Mr. President, I will soon give up the floor, but in closing I want to say to my colleagues from Indiana and other friends here from States that have problems with garbage intake that this is a problem we all have to work

on together. This kind of a short-term, sudden stop to the problem will not help us solve the problem. It will only increase the animus between States; it will only make it more difficult to solve other problems. Because as everyone knows, in this body, when one Senator's State is punished by others, there is always an opportunity in the future when that retribution comes back.

We have a clean air bill that was modified because a lot of the Senators in this body felt that it would be too harsh on their economies and their States' functioning to impose the burdens that we wanted overnight, immediately. And so we worked together, and we debated it.

That is not what is happening here, Mr. President, and I hope that good judgment will prevail and we will have an opportunity to work it out quietly, reasonably, and come to a conclusion that my State can live with.

With that, I yield the floor.

Several Senators addressed the Chair.

The PRESIDING OFFICER. The Chair recognizes the Senator from Ohio [Mr. METZENBAUM].

Mr. METZENBAUM. Mr. President, Ohio has the dubious distinction right now of competing with Pennsylvania for the title of "Dump Capital of America." More out-of-State garbage is dumped in my State and the State of Pennsylvania than anywhere else in the country.

In 1988, almost 1 in every 5 tons of waste disposed of in Ohio came from somewhere else, and those numbers are growing. Most of the trash is coming from eastern States like New York and New Jersey. My State has attempted to get its own house in order, to address its own solid waste disposal needs. Two years ago, Ohio enacted legislation which established local solid waste management districts. Throughout the State, long-range plans have been made to dispose of the trash Ohioans will generate now and in the future.

But the truth is that Ohio has not been able to slow down the influx of garbage from other States. That out-of-State waste remains an uncontrollable problem. That is an absurdity. Even though landfill disposal costs in Ohio have increased in recent years, these costs are still not high enough to discourage others from dumping their trash within our borders. It is an absurdity that other States can send their trash to our State.

Consider this: Until recently, New Jersey had the honor of being the biggest exporter of garbage to Ohio. Oh, but New Jersey is losing its role. New Jersey is slipping. Now, according to Ohio officials, New York may have seized that honor. That is because when the disposal fees at the Fresh Kills landfill in New York were more

than doubled last year, it became more economical to haul New York City trash hundreds of miles away for burial in Ohio's landfills. Something is truly perverse here.

I want to just respond a moment to my colleague concerning the matter of acid rain. Acid rain is, indeed, a problem, and we have passed amendments to the Clean Air Act, an act to do something with respect to the issues, and Ohioans will be paying a heavy penalty by reason of that act. Many Ohioans could wind up losing their jobs. There will be parts of Ohio that could be seriously hurt.

But we are trying to meet the challenges as they occur. We are trying to meet the challenge of acid rain. And we want to meet and are meeting the challenge of garbage dumping in Ohio.

Cross-border dumping is one thing. Neighboring States can and do utilize each other's landfills. Some major cities are located near a State border, and the closest disposal facility may be across the line.

But Mr. President, something is dreadfully wrong when the dumping is long distance and headed in only one direction, say from New York and New Jersey to Ohio and elsewhere. We have to put a stop to this. States should look to handle their own waste before shipping it elsewhere.

This amendment addresses this issue, and it does it in a constitutional manner, in a way that meets the challenge of the interstate commerce clause. It explicitly authorizes States to impose a ban or raise fees on out-of-State waste.

States should be able to prevent the unfair flow of garbage into their States. I hope and I believe that my colleagues will vote for this amendment because what is happening to Ohio and Pennsylvania now could just as easily happen to Virginia, Montana, Illinois, Utah, or any State in the country. It is time that we put a stop to the interstate dumping of waste. This amendment will help achieve that objective.

I yield the floor.

The PRESIDING OFFICER. Who seeks recognition?

Mr. BRADLEY. Mr. President, the amendment before us is a most unfortunate amendment. It seeks to pit State against State. I think that the amendment has more problems than most people imagine. I think it could create significant havoc in many States across the country. The fact is that when you ban the importation of solid waste, you cannot realistically ban it from just one State; politically you have to ban it from all States. The fact is that there are over 30 States that now export solid waste, and they would all face the prospect of having their export of solid waste banned,

creating great problems in their own States.

This is one of those amendments that I am afraid appears to have short-term benefit for the author but could also have long-term costs. It is an amendment which, in my view, is ill-considered and which I hope will never become law.

Mr. President, I represent, along with Senator LAUTENBERG, the State of New Jersey, and we are no strangers to solid waste imports. Up until 1988, in fact, more waste came into the State of New Jersey than left it. New Jerseyites really did not appreciate out-of-State garbage that came from New York and Philadelphia, and we tried to shut it off. In particular, we tried to shut off the solid waste that came from Philadelphia. But we could not. The commerce clause of the U.S. Constitution was interpreted by the U.S. Supreme Court to prevent New Jersey from shutting its doors to other States.

Our landfills filled, many to capacity. Many closed because they were environmentally unsound. In the 1970's, New Jerseyites used over 300 landfills statewide. Some of those are now Superfund sites. This sequence of events will occur in many States across this country. Many of those landfills will no longer be able to be used, and there could be any number of circumstances where a period of transition is needed.

Today, on the other hand, over half of New Jersey's solid waste ends up in just 12 landfills. So we went from, in the 1970's, over 300 to 12.

For the last decade we in New Jersey have struggled with solid waste problems that most States have yet to face. Frankly, we are in the middle of our own crisis.

As I think many Senators know, the data on solid waste management is often sketchy and inaccurate, to say the least. However, there is one statistic that I feel confident makes the point I am trying to make. New Jersey's tipping fees verge on the incredible. A tipping fee is what you pay to someone to take your garbage. Our average tipping fee for out-of-State disposal is \$110 per ton. Over the last 8 years, the cost of trash disposal in New Jersey has gone up an astounding 600 percent, which means that New Jersey residents are paying up to \$110 a ton, where just a few years ago, as in many States in this country, the tipping fee was \$10 or \$20 a ton.

Mr. President, anyone familiar with solid waste issues knows there is no obvious solution or miracle technology. Siting presents enormous problems.

Some of my colleagues may not be able to appreciate the difficulty of creating new waste management facilities in a State where on average 1,000 people live in each square mile and in some places 40,000 people live in each square mile. In other words, all of the

siting problems that are encountered in every State in the sense of not wanting to put a disposal facility in your backyard is intensified and emphasized in a State such as New Jersey where the population density is so great.

It is no secret that New Jersey now exports large quantities of solid waste. I am not proud of that fact. New Jerseyites are not proud of that fact. But we are not sitting back and counting on the wide open spaces of other States as our long-term waste solution. New Jersey is being aggressive. We are being responsible. We have enacted statewide mandatory recycling programs. We have made waste reduction by recycling a first order of priorities. We are doing something, and we are doing some outstanding technical work on plastics recycling.

Earlier this year on the urgent supplemental appropriations bill, for example, I sought and got money for the State to develop a program for 100 percent recovery and recycling of lead storage batteries, a request that is relevant to today's discussions.

Mr. President, if an absolute ban on the export of municipal solid waste were to become law today, it would create serious problems for our State. It is obvious that solid waste export, especially when it serves as a substitute for planning, is a critical issue for many States. However, I hope that we keep under consideration that waste disposal is complex and cannot and should not be considered apart from waste generation.

My State is literally leading the country in recycling. I know of no other State that currently recycles roughly 30 percent of its trash in mandatory State recycling programs. Likewise, I am unaware of any other State that is likely to pursue a recycling goal of 60 percent by 1995, as New Jersey is. These are truly uncharted waters.

Are these rates sustainable? What happens when other areas begin to recycle at these same rates? Will there be markets for these goods? These issues are completely relevant to the ability of States to plan for the future and for an effective nationwide solid waste strategy. Yet there is nothing in the amendment before us that would assist States in recycling or acknowledge a Federal role.

The Senate may eventually endorse a measure which restricts the State's option for waste disposal, but we should, likewise and simultaneously, pursue a strategy which will enhance all our options for waste management. I hope we will look beyond narrow political solutions.

VISIT TO THE SENATE BY REPRESENTATIVES OF THE REPUBLIC OF CHINA

Mr. SYMMS. Mr. President, will my colleague yield?

Mr. BRADLEY. Yes. I am happy to yield to the Senator from Idaho.

Mr. SYMMS. I appreciate my good friend from New Jersey yielding.

It is a privilege to introduce to the Senate eight members of the Republic of China (Taiwan) Inter-Parliamentary Amity Association Delegation.

With us today are Senators: Jin-pyng Wang, Yu-siang Lin, Yung-hsiung Wu, Shou-chung Ting, Fong-chi Chu, Jih-jiag Lin, Tzumin Kao, and Kuang-ping Liu.

They are members of the "New Generation" Taiwanese Legislature that seeks to strengthen the Taiwan Government's commitment to constitutional reform and promote greater relations with the United States and the West. Their visit to the United States will allow them to discuss the role each government has in making this happen.

It is an honor to have them here, and I wish them great success during their visit to the United States and in the work ahead of them in the Taiwanese Legislature.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. SYMMS. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. HUMPHREY addressed the Chair.

The PRESIDING OFFICER. The Senator from New Hampshire is recognized.

Mr. HUMPHREY. Mr. President, I want to join with Senator SYMMS in welcoming our colleagues from the Republic of China. I have had the privilege of visiting that country a number of times, not as often as I would like. But while they are here, I want to salute them for the very remarkable progress they have made in recent years toward a higher standard of democracy in the Republic; and to commend them, likewise for the industriousness of their people, which has given them an ever rising standard of living, and who have shown to the world the positive benefits of free enterprise as opposed to socialism, which has embraced so many parts of this world, unfortunately.

We are very pleased that they honored us with their visit today. We extend them a hearty welcome.

Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. BRADLEY. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

DISTRICT OF COLUMBIA APPROPRIATIONS ACT, 1991

The Senate continued with the consideration of the bill.

Mr. BRADLEY. Mr. President, as I was saying prior to the quorum call to greet the foreign visitors, the Senate may eventually endorse the measure which restricts the State's option for waste disposal, but we should likewise and simultaneously pursue a strategy which will enhance all our options for waste management. I hope we will look beyond narrow political solutions to this problem of national significance.

Today, as I said, New Jersey exports a lot of solid waste. However other States may find themselves in very similar positions and be forced to close the many facilities that operate in violation of stricter environmental standards. A broader policy which will not be developed overnight is essential if we are to create a strategy that is progressive and effective.

Mr. President, I hope that policy can be developed when the Senate and the Congress considers the Resource Recovery and Conservation Act. That, to me, is the appropriate vehicle for consideration of issues related to solid waste.

Next year will be a time when there will be a full consideration of that measure. That fact has been conveyed to me by the distinguished chairmen of the respective committees. I hope this amendment will not become law so that the committees themselves can devote full time to it.

Mr. President, the concept of a ban on solid waste transport is, in my view, a fundamentally flawed concept. We did not join together the United States so that each of our States was left to handle its own problems. The facts are, as I have described them, unflattering to New Jersey, but New Jersey has done nothing illegal or wrong. The haulers take the municipal waste where they can go most cheaply.

Now the political forces demand a change. Action must be taken, some say—like the distinguished author of this amendment—how about a ban? Let us just put up a "do not enter" sign on State borders. If it is trash today, how about tomorrow? How about electricity? Maybe States will not want to allow the export of electricity. After all, it is politically difficult to build our plants. There is a long construction lag. Why should one State give up increasingly scarce electricity to another? What about gas

and oil supplies? In the 1970's we had different pricing systems in local and interstate markets. It was completely counterproductive. Why limit the waste ban to garbage? Why exempt, for instance, hazardous waste? Why exempt nuclear waste? According to EPA, every State exports some hazardous waste? And all but eight rural States also import hazardous waste. Ohio, by the way, leads in the export of hazardous waste. In general, States do not have the capacity to treat or dispose of all of the hazardous waste generated within their borders. Of course, that is just the current situation. By banning interstate transport of hazardous waste, we can certainly change that.

Mr. President, the Congressional Research Service, at the request of the Environment and Public Works Committee, examined interstate shipment of solid waste. Their conclusions are sobering. I would like to share them with the Senate.

Data on the interstate shipment of solid waste are, as I said earlier, uneven, to say the least. Some States have good data. Other States have none at all. Thus, we do not really know with any precision how much waste is crossing State lines. Even where there are reporting requirements, the measurements are likely to be imprecise, since many landfills and transfer stations measure waste in volume terms, cubic yards, whereas others measure tonnage. Converting volume data to tons requires use of an average conversion factor, which is probably inaccurate.

Nonetheless, despite the above limitations, which argue for a potentially wide margin of error, CRS estimates based upon this survey of exporters and importers that—this is an important figure for everyone to understand—more than 12 million tons of municipal solid waste, about 7 percent of estimated U.S. total crossed State lines in 1989 for disposal.

Waste generators ship across State lines for at least three reasons. In many cases, major cities are located near a State border, and the closest disposal facility may be across the line. That clearly has been the case for part of the waste for many metropolitan areas, including New York and Philadelphia, throughout the 1970's. As I pointed out, both filled up New Jersey's landfills with their solid waste. It is also true of Chicago, which has historically dumped large amounts in Gary, IN. It is true of Washington. It is true of St. Louis. It is true of Kansas City. And it is true of El Paso.

In other cases, there is a temporary shortage of disposal capacity in the generating State. Such shortages are generally tied to a strengthening of landfill standards, closing of old dumps, the inability to site new facilities, and dramatic increases in tipping

fees charged by remaining local landfills. New Jersey and New York are two examples of this set of circumstances, where we got much tougher on environmental pollution, and the result was that we ended up with a lot fewer landfills. So, Mr. President, such shortages are not expected to be permanent, but it may be several years before they are eliminated in any given State.

Finally, there is a long-term trend toward larger regional disposal capacity that is affecting both intra- and interstate shipment of waste. For example, in the Pacific Northwest, there are several large regional facilities being built which will attract long haul waste both in and out of State. In California, there are also proposals for long haul transport of waste—in this case, entirely within the State.

Mr. President, there are a lot of reasons why some States want to export the garbage. In many cases there are legitimate reasons. Many of the exporting States have received large amounts of waste in the past. New Jersey is a good example of that.

States that are currently net exporters have, in many cases, responded to the threat of imports by tightening their solid waste management planning process, much as New Jersey did in the early 1980's. This may result in their becoming net exporters themselves in the future, as they implement more stringent standards, and close older landfills, and fragment their States into planning districts responsible for maintaining their own disposal capacity.

One of the reasons that interstate shipment of waste has become such a volatile issue is a sense that the prime beneficiaries of long-haul transport are, in general, private haulers and landfill owners and operators whose windfall provides little benefit to the population of the receiving area. On the other hand, in some cases, host communities do reap benefits from accepting out-of-State or out-of-area waste, including host community fees and cheaper or free disposal. Thus, not all receiving areas support restrictions on such shipments.

Within several States I mentioned, intrastate shipment is as important a problem as interstate shipment. To the receiving community, it does not matter whether the waste comes from Chicago, or New Jersey, or a city 50 miles away. The point is that it is coming from somewhere else. Unless the community senses a benefit from receiving the waste, it is likely to be opposed.

Waste crosses State lines for recycling as well as disposal. These flows are becoming increasingly common, as the amount of household waste separated for recycling grows and the variety of potential arrangements for

processing of recyclable waste expands. No State provided separate data on exports or imports for recycling.

Proposed solutions to the problem of interstate waste shipment need to take into account a variety of existing arrangements for waste disposal and recycling and the future needs of States which may change rapidly. A complete ban on interstate waste shipment would affect about 30 exporting States and probably hundreds of local jurisdictions, many of which have difficulty finding alternative disposal capacities.

Mr. President, the fact is that disposal of municipal solid waste is a difficult and complex circumstance. No one likes to have it in their backyard. It is a national problem, and it deserves to have a national solution.

Mr. President, I hope that we will be able to look at this amendment with some degree of skepticism, and indeed that the law would allow us to consider this on another day.

I yield the floor.

Mr. SPECTER addressed the Chair. The PRESIDING OFFICER. Senator SPECTER is recognized.

Mr. SPECTER. Before the distinguished Senator from New Jersey leaves the floor, I would be appreciative if he would be willing to engage in a very brief colloquy.

Mr. BRADLEY. Certainly.

Mr. SPECTER. Mr. President, the basic question that I have relates to the relative responsibilities of various States. The problem of waste disposal is an enormous one, nationally. It is complicated in many ways, because we have problems in moving toward recycling, which all of us would like. We have landfills, and we have incineration that poses very substantial problems. There are serious constitutional issues which prohibit regulations by one State—just a hypothetical, Pennsylvania, for example—from stopping garbage from coming in from New Jersey, to hypothetically, say Scranton, PA, as Mr. President, this is a serious problem.

The question that I have for the distinguished Senator from New Jersey is in a context where, as I understand it, in New Jersey, there has been a moratorium on landfills. What does the distinguished Senator from New Jersey consider a basic issue of fairness for New Jersey to be able to export its garbage to Scranton, PA?

Mr. BRADLEY. I will answer the distinguished Senator from Pennsylvania that the moratorium was a short-term moratorium. There was an opportunity, given the change of government, for the new Governor to try to get his own plan in place.

I point out that over the last 8 years there has been some progress but not nearly enough progress on this issue, and one of the things that has been

announced by New Jersey in the last few weeks has been the very ambitious goal of 60 percent recycling by 1995. That goal is a very ambitious goal and I think that is the first step in what will be a larger plan. I cannot speak for the State at this moment. But that is my understanding, that the recycling goal will reduce the amount of solid waste and begin to reduce some of these bigger problems.

Mr. SPECTER. Mr. President, I commend the State of New Jersey for its plan for undertaking in 1995. Regrettably that is a long way away.

When you talk about moratorium, there has been a new Governor in New Jersey, and I commend him for his activity since the first of the year. But as the distinguished Senator from New Jersey refers to it, not much progress has been made, as he characterizes it, over the past 8 years. I know that the problem of New Jersey garbage coming into Scranton, PA has been going on for a very long period of time. So there is an extraordinary burden which is placed upon the recipient States.

That is why I have introduced legislation last year, along with my colleague from Pennsylvania, and why I commend my distinguished colleague from Indiana for legislation which he has put forward today.

I regret that I have not been on the floor longer, but we just broke 10 minutes ago from the confirmation hearings on Judge Souter.

I ask unanimous consent at the conclusion of my comments there be printed a text of a statement which I made on October 13, 1989, when we introduced S. 1754 the Solid Waste Disposal Act.

The PRESIDING OFFICER. Without objection, it is so ordered.

(See exhibit 1.)

Mr. SPECTER. Mr. President, I asked that that be done because to cover all those points would take some considerable period of time, and we are shortly reconvening the Souter hearing.

I understand that there are efforts being made to work out certain problems which the State officials in Pennsylvania have with the pending legislation, and we will continue to work on those. I understand the predicament of the distinguished Senator from New Jersey in defending his own State's interest, but it would be my hope that we would be able to structure some comprehensive program which would be fair, because that is what we are all looking for.

We have a terrible problem of waste disposal in this country. We would like to do it with recycling. We would like to do things which are environmentally superior than what is being undertaken at the present time. But it is an intolerable situation to have waste disposal move from one State to another,

and burdensome in an unfair way, which the current system is.

We have seen the fiasco of barges hauling waste around the world. We simply have to get down to business and get the problem solved.

I thank my colleague from New Jersey for waiting, and I thank the distinguished Senator from Indiana for his constructive work on this important issue and pledge my cooperation in trying to find a satisfactory solution which is satisfactory to both sides of the Delaware River.

EXHIBIT 1

STATEMENT BY SENATOR ARLEN SPECTER TO AMEND THE SOLID WASTE DISPOSAL ACT

Mr. President, today my colleague from Pennsylvania, Senator HEINZ, and I introduce legislation to devise a fair and workable solution for the nation's solid waste disposal problems.

Across the country states are experiencing the acute impact of dwindling landfill capacity and limited means to provide adequate alternative methods of disposal. As a consequence, some states no longer possessing adequate capacity, have opted for the more economical solution of shipping large quantities of their solid waste to cheaper out-of-state landfills, instead of incurring the increased costs associated with establishing new local facilities. This has given rise to the significant legal challenge of finding equitable procedures for the regulation of interstate transportation of solid waste. If a solution is not found soon, landfill shortages very likely will begin emerging throughout entire regions of this country with dire social and environmental results.

For this reason, Mr. President, we are introducing legislation which provides incentives for states to devise realistic long-term plans for handling the disposal of solid waste.

Our bill requires states to update their present solid waste management plans and provide estimates as to the amount of municipal and commercial waste they expect to generate in the next 20 years. The new plans also must contain a comprehensive review of existing landfill capacity and methods, including export of garbage, for disposing of excess waste. Each state will have 24 months, after the date of enactment, to file an amended plan with the Environmental Protection Agency in which it will certify that based on its plan, or on agreement made with any state or states, that it has made adequate provisions to manage its solid waste disposal for the next 20 years.

The legal precedent for such an approach is clear. If a state has an approved plan for complying with minimum waste disposal requirements as set forth in the Resource Conservation and Recovery Act (RCRA), then the state has a priority obligation to ensure that it adheres to its plan. Local landfills receiving out-of-state waste jeopardizes the state's ability to operate within its plan, and in turn risks noncompliance with federal standards. Federal legislation would serve the purpose of imposing penalties on those states circumventing RCRA requirements and encourage them to find solutions which do not inhibit other states' abilities to adhere to their plans.

This bill contains what I believe to be a sensible approach to the challenge of finding penalties and incentives which are fair

to all States. Accordingly, Senator HEINZ and I advocate the imposition of a fee, to be determined by the Environmental Protection Agency, which will be imposed on each State for every ton of solid waste it exports. The fee will provide an incentive for States to find local solutions for their trash problem. Proceeds from the fee will be used to partially compensate those States receiving another State's solid waste. Another incentive called for in this legislation will be the threat of withholding highway money from those States which fail to manage their solid waste disposal in accordance with their federally certified plan.

Mr. President, we face a serious problem. Yet it is a problem which does not lack solutions. I applaud the laws and regulations already enacted by some States that are resulting in an environmentally sound and economically efficient combination of recycling, landfilling, and incineration in much the same manner as recommended by the Environmental Protection Agency as national policy.

That being the case, why do we find it necessary to propose legislation to set national standards for waste disposal? This legislation is necessary, Mr. President, because Pennsylvania and similarly situated States find that implementation of their own carefully constructed waste management plans is threatened by the burden imposed on them by disproportionate amounts of solid waste being transshipped from other States.

According to Commonwealth of Pennsylvania reports, approximately nine million tons of municipal solid waste are generated in the State per year, of which one million tons are shipped out-of-state. Pennsylvania landfills now receive approximately 5.5 million tons of solid waste per year from out-of-state sources. At this rate, Pennsylvania estimates State landfills have approximately 9.5 years of capacity remaining. These alarming statistics reflect the difficulty Pennsylvania faces in implementing the recycling legislation enacted in the State last year to provide for solid waste planning.

The State legislation mandates recycling by counties and provides State funding for municipalities to achieve their recycling goals. Under the new law, at least 25 percent of all municipal waste in the Commonwealth must be recycled by January 1, 1997. Yet, how can the State of Pennsylvania, and States in similar situations, have confidence in these plans when their goals and guidelines are being undermined by the increasing accumulation of out-of-state garbage?

Mr. President, I am personally familiar with the anxiety that the landfill crisis provokes in local communities. On August 8, I met with Lackawanna County officials, environmental group representatives, and many area residents at the Keyser Valley Community Center in Scranton, PA, to discuss the solid waste issue. At that meeting, I heard first-hand the deep concerns expressed by area residents, and we discussed possible solutions to this problem.

One approach was the creation of an interstate compact involving Pennsylvania, New York and New Jersey to address the tri-state area's trash disposal problems. At that meeting, I indicated that I would explore the regional concept as it relates to solid waste disposal.

After circulating the draft compact proposal to local interested parties, I received an analysis on August 15 from representatives of a local environmental group, Citizens Alert Regarding the Environment

(CARE). CARE reported that the "compact proposal is fine and every proposal that is made is a step forward," while urging that the concept be expanded to place the responsibility for waste disposal on those states exporting solid waste. Thus, the bill we introduce today not only incorporates the original interstate compact initiative, but also includes a broader approach to better define the states' individual responsibilities in addressing the solid waste disposal problem.

Our legislation will authorize the establishment of interstate compacts that will enable states to come together and forge mutually acceptable cooperative solutions to this problem. The creation of such compacts also will address the need for states to reach agreements on the current and evolving methods for waste management. Today, approximately 76 percent of the nation's garbage is deposited in landfills while 11 percent is recycled and 13 percent is burned in waste-to-energy plants or incinerators. While these source reduction efforts are helpful, we must face the fact that landfills are and will be a necessary part of our future because not all waste can be recycled or burned. The formation of interstate compacts can help states collectively plan for the most efficient mix of source reduction methods and landfills.

One example of the use of compacts, as my colleagues are aware, was the enactment of "Low-Level Radioactive Waste Policy Act Amendments" implemented in 1985 to tackle similar problems associated with the disposal of low-level radioactive waste. The advantage of such an approach is that states ultimately would see it as more economical, and also manageable, for regional groupings of states collectively to devise solid waste disposal programs than for states to follow independent plans. Given the many differences in solid waste generation and available landfills from state to state, I believe this to be the only reasonable approach. Thus, the bill we are introducing today contains, as I mentioned earlier, incentives in the form of fees charged on waste transported out-of-state in excess of a state's adopted plan.

As my colleagues are aware, previous attempts to regulate trash disposal have not been very successful. For example, the Supreme Court in *City of Philadelphia v. New Jersey* (437 U.S. 617 [1978]) found that it was unconstitutional for states to adopt statutes that closed their borders to the importation of solid waste. The Court held that trash, although it has no inherent value, constitutes a commodity. Thus, it would be a violation of the Commerce Clause for states to restrict access to their landfills from out-of-state municipalities. Nevertheless, the theory behind this decision is that states should not enact laws to isolate themselves from national problems, which points to the need for federal guidelines and procedures for solid waste disposal that are monitored by a federal agency. In the bill Senator Heinz and I are introducing today, the Interstate Commerce Commission will be charged with oversight authority to monitor states' compliance with federal guidelines.

Mr. President, some of my colleagues from states less affected by trash disposal problems may question the need for a federal solution to what they see as a local problem. The facts, however, clearly reflect the rapidly worsening situation arising from insufficient landfill capacity and its threat to the environment.

The Environmental Protection Agency estimates that there were almost 6,000 municipal solid waste landfills in operation nationwide in 1988. Of those, more than 2,000, or one-third, are scheduled to be closed within four years. The U.S. Conference of Mayors also estimated that more than half of our cities will have exhausted their landfill capacity within the next ten years.

Information obtained from the National Solid Waste Management Association (NSWMA) cites three cases in densely populated Northeastern States which further highlight the problem:

By 1995, according to the New York State Legislative Commission on Solid Waste Management, all landfills currently operating within that state will reach their capacity and close. Since 1982, in fact, the number of facilities has declined from 500 to fewer than 270, while only one interim site has been opened.

Since 1976, the number of landfills in New Jersey has decreased from more than 300 to fewer than 100, 12 of which provide over 90 percent of the state's remaining capacity. Faced with what the National Solid Waste Management Association terms "an acute shortage of disposal space," 11 counties must send their garbage to out-of-state facilities. Over half the state's refuse is presently "exported" to other regions.

Officials at the Connecticut Department of Environmental Protection have calculated that most of the state's landfills can operate for only two more years. Already, 50 percent of all solid waste in the state is deposited in only nine major facilities.

This impending shortage appears even more problematic given trends in the composition of household refuse—increased use of non-biodegradable plastics and other artificial materials which take up valuable disposal space. Records indicate that Americans throw away almost 160 million tons of trash each year, or nearly 3.6 pounds per person daily. Some experts predict that this trend will increase to six pounds per day by the end of the century.

Mr. President, it would not be productive to point a finger at other states and municipalities with solid waste disposal problems. As I described earlier, Pennsylvania faces acute landfill shortages of its own. The pervasive national dimension of this impending crisis suggests that a passive response which assumes the problem will work itself out on the state level is patently insufficient. Current national capacity is so limited that one state's crisis today will most certainly become its neighbor's tomorrow. One solution is to encourage states to coordinate their solid waste disposal plans, which is the basis of the legislation we propose today.

Accordingly, I urge my colleagues to join in support of this legislation so we can address the serious national problem of solid waste disposal.

THE PRESIDING OFFICER. The Chair recognizes the Senator from New Jersey [Mr. BRADLEY].

MR. BRADLEY. Mr. President, I thank the distinguished Senator from Pennsylvania, with whom I have worked so well on so many issues, for his comments.

Let me just make sure the record reflects that in New Jersey, the moratorium that is referred to ended in August and it only applied to new incinerators.

Let me also say the distinguished Senator from Pennsylvania as a neighbor and friend is well aware of the efforts in the mid-1970's on the part of New Jersey to attempt unsuccessfully to prevent the city of Philadelphia from dumping garbage in New Jersey. It is one of those problems that will continue to plague us if we do not look at it in a national sense. I know the Senator appreciates that.

I would hope that we have the opportunity to do that in some way other than the present amendment. But the amendment is before us and therefore we will have to deal with it at some point.

THE PRESIDING OFFICER. The Chair recognizes the Senator from Pennsylvania [Mr. SPECTER].

Mr. SPECTER. Mr. President, the last comment by the distinguished Senator from New Jersey about Philadelphia trash requires a very, very long response which is unfortunate on Friday afternoon, especially unfortunate, since I have to return to the Souter hearing. So I just want the record to show I am not letting it go unnoticed or unpassed, but we will reserve that debate to another day. I know there is a sigh of relief from the staff.

I conclude, Mr. President, by asking unanimous consent that a newspaper article from the Scranton Times from Saturday, September 8, 1990, be printed in the RECORD at the conclusion of my remarks.

THE PRESIDING OFFICER. Without objection, it is so ordered.

(See exhibit 1.)

Mr. SPECTER. This statement illustrates the very serious impact which comes to a local community, Scranton, PA, by the problem of New Jersey garbage coming in under the current status of the record.

I thank the Chair and yield the floor.

EXHIBIT 1

[From the Scranton Times, Sept. 8, 1990]

EMPIRE LANDFILL TO TAKE JERSEY TRASH

(By Paul R. Lyon and Lynne Slack)

Empire Landfill in Taylor won a \$241.5 million contract Friday to dispose of 3.5 million tons of trash from Hudson County, N.J., over the next 10 years starting in 1991.

The contract was awarded by the Hudson County Improvement Authority despite opposition by state Rep. Gaynor Cawley and Citizens Alert Regarding the Environment, who objected to more out-of-state trash being trucked into Lackawanna County.

The five-member authority voted 3-0 with one abstention to award the contract to Empire primarily because the difference in price among the final four bidders was "compelling" in favor of the Taylor facility, according to Al Fiore, the authority's executive director.

One of the authority's members was absent from the vote, he said. Although he spoke by telephone to attorney Michael Cawley, a spokesman for CARE, Fiore said he had not received a CARE facsimile op-

posing the contract prior to the authority's vote.

The contract will have to be approved by the Hudson County Board of Freeholders and be forwarded for review to the New Jersey Department of Environmental Protection by Sept. 30, he said.

"We're under a rather tight deadline," Fiore said. "We don't have any options. By the first of the year, we have to start shipping."

Under the terms of the contract with Empire, he said, Hudson County will pay an average of \$69 a ton for trash disposal. The authority, which plans to start sending trash to Empire on Jan. 1, expects to send 750 tons a day for the first two years; 1,700 tons a day during the third and fourth years, and 750 tons a day for the balance of the 10 years, according to Fiore.

He said the landfill will be providing transportation of the county's trash. But Fiore said the landfill will not be using Penpac Inc., of Totowa, N.J., to transport its trash. The firm was involved in an accident Jan. 8 along Keyser Avenue that killed a Dickson City woman and seriously injured her husband.

"We're going to make sure that doesn't happen again," said Fiore.

Asked for comment Friday night on the contract award and tonnage limits imposed by the state, Ed Shoener, regional director of the state Department of Environmental Resources, said, "We're going to have to review the whole matter with our attorneys. This issue is still formally in litigation with Empire Landfill."

Responding to opposition voiced by Scranton-area groups, Fiore said Hudson County's trash should not represent an additional burden on Lackawanna County because it will come in place of about 1,500 tons of trash a day that recently stopped flowing to Empire from Passaic County, N.J.

"We don't think it will be an outrage," said Fiore. "We realize it's a burden, but we have no choice. As you know, we have very serious problems in this state."

Hudson County currently takes its trash to a municipal landfill operated by the Hackensack Meadowlands Development Commission. But the commission recently was ordered by the NJDEP to close the dump by 1992, forcing Hudson County to bid out for at least part of its trash disposal.

The authority plans to send about half its daily tonnage of garbage to Empire, said Fiore.

Responding to whether Hudson County's trash would put Empire over Gov. Robert P. Casey's executive order that Pennsylvania landfills accept only 30 percent out-of-state trash, Alan W. Stephens, the landfill's operations manager, said Empire's daily tonnage limits still are being negotiated with DER.

But, he said, "We wouldn't be taking something if we knew it was going to put us over a limit we knew was going to be established. We would not be exceeding the limit we're negotiating for."

Negotiations between Empire and DER began after the landfill appealed to Commonwealth Court a DER order reducing Empire's limit from 5,000 to 3,539 tons a day.

Stephens' position is that Casey's executive order does not apply to Empire's pre-existing contracts with New Jersey counties, and therefore those amounts of daily trash cannot be figured into the landfill's daily limit ratio.

Of the 3,539-ton-a-day figure, he said, 3,109 tons come from out of state. But con-

tracts for about 90 percent of that garbage already had been established before Casey's executive order.

"Pre-existing contracts were not included in that 70-30 average, and obviously 90 percent of our contracts were from out of state," said Stephens. "Anything we had before the governor's executive order would not be included in the 70-30 average."

Should the Hudson County contract pass the necessary reviews, he said, the county will join Morris, Somerset and Essex counties in sending out-of-state trash to Empire.

But, said Stephens, the perception that the landfill is trying only to get out-of-state trash is incorrect. Empire has bid on a number of Pennsylvania contracts, but was unsuccessful in obtaining the pacts.

"I certainly don't want people to believe we are only bidding on New Jersey garbage because that's not true," he said. "We are bidding on a lot of Pennsylvania markets. But it's a competitive situation, so you don't always win."

THE PRESIDING OFFICER. The Chair recognizes the Senator from New Jersey [Mr. BRADLEY].

Mr. BRADLEY. Mr. President, I am prepared to discuss this long into the night and as long as it takes to try to convince the Senate to focus on this issue in a way that I think is worthy of the careful consideration that the Senate frequently gives matters. The fact of the matter is that when you fight for the interest of your State sometimes you have to stand alone. The fact of the matter is that both the distinguished Senator and my colleague, Senator LAUTENBERG from New Jersey, and I have on previous occasions blocked this amendment.

The distinguished Senator from Indiana offered it to another bill. It has now been offered to this bill. We can continue to block it. At the same time, the distinguished Senator from Indiana I think deserves to have a hearing, and we are attempting to accommodate him. It is within his right, of course, if we block him on this bill to come back on any other bill. At some time or other, the distinguished Senator will more than likely obtain a vote.

So, Mr. President, I would like to, on behalf of the majority leader, propose a unanimous-consent request that I think will resolve the issue.

UNANIMOUS-CONSENT AGREEMENT

Mr. President, on behalf of the majority leader, I ask unanimous consent that at 6 p.m., Monday, September 17, when the Senate resumes its consideration of H.R. 5311, the D.C. appropriations bill, there will be 1 hour of debate on the Coats amendment No. 2640, with the time equally divided and controlled in the usual form, and that upon the use or yielding back of time, the Senate vote on the Coats amendment No. 6240; that upon disposition of the Coats amendment, the Senate proceed to the disposition of the Nickles amendment No. 2639, as amended, if amended; that upon disposition of the Nickles amendment No.

2639, without any intervening action or debate, the Senate proceed to final passage of H.R. 5311.

I further ask unanimous consent that, following disposition of the amendment by the distinguished Senator from Indiana, Senator COATS, numbered 2640, it not be in order to propose any amendment nor any measure or to consider any measure during the remainder of this Congress dealing with specifically the ability of one State to prohibit or ban the import or charge fees on the importation of solid waste from another State, which is the subject matter contained in amendment No. 26.

The PRESIDING OFFICER. Is there objection?

Mr. COATS. Mr. President, reserving the right to object, and I will not object, I want to first of all state to my colleague from New Jersey, I think we both understand that we will be willing to stay here all day, all night, all weekend; that as the majority leader said, we have to pass on this.

Our discussions and negotiations with the majority leader have produced what I think is an acceptable solution to the issue that we will have 1 more hour of debate on Monday evening, September 17, a time equally divided, and move to an up-or-down vote on the Coats amendment.

That is all that I had asked for earlier, that the issue be addressed, debated, and then voted on.

I thank the Senator from New Jersey, both Senators from New Jersey, for their willingness to acknowledge what I felt to be the right of any Senator, and that is to ask for a vote on an amendment that he has proposed.

I also think it is appropriate that given the short amount of time between now and the end of the session, the very critical nature of the budget talks and the situation of the Persian Gulf and many things that the Senate needs to do before adjournment, that it is appropriate for us to dispose of this matter, to have a vote, and to agree on both sides that we will accept the will of this body, the majority vote will prevail and that neither side will come back to attempt to do or undo, attempt another shot at this.

There is plenty to do in the Senate between now and the time of the adjournment. There are many important matters. This obviously is very important to the State of Indiana and important to me. But I think this is a fair opportunity. We have had an opportunity to debate the issue. We will now have an opportunity to summarize our remarks and take a vote up or down on the matter this coming Monday.

So I again thank the Senator from New Jersey for his consideration, and Senator LAUTENBERG also. I look forward to the vote on Monday to occur

as ordered under the unanimous-consent request.

The PRESIDING OFFICER. Is there objection to the unanimous-consent request propounded by the Senator from New Jersey? If not, that will be the order of the Senate.

Mr. BRADLEY. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The absence of a quorum has been suggested. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. BRADLEY. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. BURDICK). Without objection, it is so ordered.

MORNING BUSINESS

Mr. BRADLEY. Mr. President, I ask unanimous consent that there be a period for morning business with Senators permitted to speak therein.

The PRESIDING OFFICER. Without objection, it is so ordered.

THE ICONOCLAST OF CAPITOL HILL—SENATOR WARREN RUDMAN

Mr. COHEN. Mr. President, the often blinding pace of congressional life can hinder us from acknowledging the truly unique people within this Chamber. I rise today to recognize my good friend and neighbor Senator WARREN RUDMAN.

Senator RUDMAN is a man who has brought a special quality to this Chamber. A recent Time magazine interview referred to Senator RUDMAN as "The Iconoclast of Capitol Hill." Inherent in the character of this unique Senator are the qualities of toughness, tenacity, and a fiery persistence that makes me proud to be his friend.

Mr. President, I ask unanimous consent that the August 10, Congressional Insight's laudatory words on Senator RUDMAN, as well as the Time magazine interview be inserted in the RECORD at this point.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

[From Time magazine, Sept. 3, 1990]

INTERVIEW: THE ICONOCLAST OF CAPITOL HILL (By Hays Gorey)

Q. You were highly visible in the David Souter nomination to the Supreme Court. Was that to divert attention from Souter's ties to John Sununu?

A. It was to portray the accuracy of the fact that I have been advancing David Souter's interests, on my own, without his consent, for 20 years. I wanted my colleagues to know very accurately that he was very close to me, because I would hope to have some credibility with my colleagues.

Q. Souter comes across to much of the public as rather weird.

A. Weird? He has lots of friends. He has a very active social life. He lives on a farm a few miles from the capital of our state. I hardly think you have to come out of the Upper East Side to qualify for a seat on the Supreme Court. Or drive a Mercedes.

Q. People believe Sununu would block any Supreme Court nominee whose views on abortion he did not know.

A. I know for an absolute fact that neither I nor John Sununu, nor indeed the President of the United States, knows David Souter's views with any precision on the whole question of Roe v. Wade and Webster.

Q. Will it be fair game if Senators try to probe his thinking on Roe v. Wade at the confirmation hearings?

A. I don't think so. Two or three cases will be coming to the Supreme Court. That would make [abortion views] off-limits as far as I'm concerned.

Q. Congress is held in very low esteem. Is there a cure?

A. Yes, if we'd act with more alacrity around here in getting things done. In my opinion, that's the single most important thing we could do. We know what we have to do, we know how to do it. But there is such a terrible collective lack of political will to get things done.

Q. Is the Ethics Committee, of which you are vice chairman, in a no-win situation?

A. No. It is true that if we find someone guilty and recommend sanctions, it is very difficult because that person's a friend. This committee looks at every one of these cases individually, looks at the Keating Five individually, looks at the D'Amato case individually, and we will let the chips fall where they may. It's the institution that matters most.

Q. Why are so many members of Congress caught up in corruption? Is it the system?

A. I disagree with the premise. I've been on the Ethics Committee for six years now. There are a few bad apples around here, but in the main, people are pretty ethical. This is a far different Congress than it was even 30 years ago. That may not be the public perception, but it's a fact.

Q. Is it possible for members to serve their constituents without risking censure?

A. Certainly. We have had ample evidence in history of the tyranny of government. And when some constituent is unfairly treated by the Defense Department or by the IRS, the only people they have to turn to are their elected representatives. There is nothing wrong with members of Congress ensuring that their constituents are treated fairly. That is quite different from seeking special treatment.

Q. How responsible is Congress for the S&L scandal?

A. First, I would fault the regulators. Then I would fault Congress for not giving enough money to the regulators to do their jobs. I would certainly fault the Administration for not being quick enough to give proper guidance to the regulators. Anyone who points fingers ought to stand in a circle. There's certainly enough blame to go around.

Q. Why were you uncertain about staying in Congress, seeking a second term?

A. I had never set my sights on this job. But I came here feeling the Reagan Administration would find a way to cut government expenditures. I don't really like living here in Washington. I didn't feel I was accomplishing anything important. But when Phil Gramm and I got together on Gramm-Rudman-Hollings in 1985. I changed my

view. I thought one person could make a difference.

Q. What about a third term?

A. I'm really torn about it. There are other things I'd like to do. I like Howard Baker's wonderful remark the day he announced he was not going to run for re-election. He said, "I was a young wealthy lawyer when I arrived here 18 years ago, and I've gotten over all three." The level of frustration is still pretty high. I think this deficit situation shouldn't take as long as it's taking. I think we all ought to be willing to take some political risks. The worst thing that can happen to us if we do something we know is right for the country is we get defeated for re-election and probably have a much better life than we have here. I think we ought to take some risks. George Bush is doing it.

Q. Finally.

A. Well, finally. Obviously the choice he had was keeping a pledge that was absolutely unrealistic and seeing the country go down the tubes, or do something and see the economy strengthened. That's no choice at all.

Q. You've got a reputation as being pretty blunt. You characterized the Republican report on the Iran-contra affair as "pathetic," for example.

A. I also quoted Adlai Stevenson and said they separated the wheat from the chaff and left in the chaff.

Q. What was the fallout political?

A. Nothing. The Boston Globe took a poll in New Hampshire. Among Republicans I had 75% favorability.

Q. Why won't you go to black-tie functions in Washington?

A. I think they're a total anachronism. They go back to 18th century England, when the rich all dressed in fancy black tie and gown for dinner every night while the poor were starving in the street. That's one thing Gorbachev and I agree on. He won't wear a black tie either. I don't go to functions where they wear dungarees and sweat shirts either. I just don't go.

Q. Why?

A. I don't like big crowds. I don't want to go out and sit with a bunch of strangers—you know, 2,800 of the President's "best friends."

Q. Are you invited to the White House?

A. I have been invited to a number of functions. I refused all them, except one—an informal dinner in the residence and then down to the theater to see Dick Tracy. I knew everybody there, and it was very informal.

Q. Why are you a Republican?

A. I guess because my father was. As it turns out, that was the right choice for me. That government's best that governs least. I think we believe that. So I'm very comfortable in the party.

Q. You are critical of the press for the way it has treated Quayle.

A. Critical in the sense that they make him out to be a simpleton.

Q. Did he bring any of that on himself with such statements as "I haven't lived in this century"? There are whole books devoted to Quayle's sayings.

A. There's no question Dan's said some things that probably were poorly stated. Jerry Ford holds the world's record for malapropisms. That does not lessen his worth as a human being or as a President.

Q. C'mon. Is Quayle presidential material?

A. I don't know. I truly don't. Some of the testing is yet to be done. He'll go through some crises as Vice President. Just because

he was picked as one of 100 Senators to be Vice President doesn't add to his depth. He now has to establish that, and it's been very difficult for him because of the adverse attitude toward him by the press. I think it is very unfair to characterize Dan Quayle as some lightweight who is far more interested in playing golf than becoming expert on issues.

Q. You have said that before you could support a Dan Quayle candidacy for President, you would have to see the field. What if the field were James Baker, Bob Dole and Quayle?

A. I would probably go to Australia for a year.

Q. In 1988 George Bush had to win New Hampshire or he was through. You supported Bob Dole. Does the memory linger with the President?

A. Yes, it does. But I understand American politics. I put all that behind me.

[From Congressional Insight, Aug. 10, 1990]

Even if his good friend weren't about to join the Supreme Court *** Sen. Warren Rudman (R-N.H.) could look fondly at the past year. He's been out front on big issues like campaign finance, ethics *** and has proven his influence in Senate and at the White House.

Some try to credit John Sununu for nomination of David Souter *** but on Hill, Rudman gets much credit for promoting his friend's name for high court. Talk may be White House's doing, to head off liberals who might attack a nominee handicapped by conservative staff chief Sununu.

Souter was Rudman's protege and successor as atty' general of New Hampshire. And Rudman helped get Souter on U.S. appeals bench this spring.

Smooth sailing is still forecast for the unknown nominee, and by shepherding the confirmation, Rudman will earn another feather in his cap.

Souter just adds to growing list of Rudman wins. Here are some:

His role in Sen. Dave Durenberger's ethics case won Rudman raves.

As vice chairman of Ethics panel, he shaped the course and character of investigation, committee deliberations, and floor vote on Durenberger.

"We shed all partisanship and, unfortunately, all friendship," he said, describing Ethics Committee's approach in closed-door deliberations.

The former prosecutor's poignant floor speech won points on both sides of the aisle, at once urging a severe penalty—denouncement—and evoking compassion for colleague falling to emotional and financial strains.

Rudman defended investigation and panel procedure, putting himself at fore of discussion of procedural changes. In '89, he chaired GOP ethics task force and co-authored bipartisan ethics bill with Carl Levin (D-Mich.).

A rare GOP stalwart for Legal Services Corp.—frequently target of administration ax—Rudman helped keep legal aid alive in Reagan era.

Bush seemed friendlier to program, until White House squeezed John Erlenborn, former Illinois rep Rudman recruited, off Legal Services board.

Rudman was furious, but it looks as if he will get his way again.

Tom Rath has inside track for Erlenborn's seat on the board. Rath, another favorite of Rudman, succeeded Souter as N.H. attorney general.

Rudman didn't win on campaign finance, but some of his ideas did.

GOP leader Bob Dole put Rudman on a panel to seek deal with Dems, but both parties stuck to hard-line positions; Rudman voted "no" on bill.

Dems did move toward his stance on banning PACs, cutting TV costs.

None of this year's success put Rudman's name in public view *** like Gramm-Rudman deficit reduction law he co-authored in 1985.

Its fans hoped prospect of cuts would finally force tough choices this year—until Mideast war, fear of recession made that less likely.

THE 50TH ANNIVERSARY OF THE BATTLE OF BRITAIN

Mr. WALLOP. Mr. President, while our attention is riveted on the critical events unfolding in the Persian Gulf, I believe we should pause for a moment to recall another time when civilization was threatened by a brutal aggressor, and was saved by the narrowest of margins.

Tomorrow, September 15, our British cousins celebrate the 50th anniversary of the Battle of Britain. We would be remiss if we failed to take proper note of the occasion, and reflect upon its significance.

The Battle of Britain, following the catastrophic defeat of France, began in late July 1940, and continued into the fall. The climax of the battle came on September 15. On that fateful day Hermann Goering, fought to a standstill by the tenacious Royal Air Force, shifted the Luftwaffe's main effort away from the battle for control of the air and to the equally futile effort to terrify the British into surrender by bombing their cities.

It was not a particularly large battle in terms of the men and machines, engaged, generally no more than several thousand at a any one time. Yet it ranks with other turning points in history—with ancient Marathon and Salamis, with Waterloo and Midway—when freedom stopped the march of tyranny. If the Germans had succeeded in destroying the RAF and gaining command of the skies, their next step would have been the invasion of England. The Nazi scourge might well have survived to the present, and the world would be infinitely worse today.

Consequently, the entire free world, not just the British Commonwealth, owes an immeasurable debt to Air Marshals Hugh Dowding, Keith Park, and Leigh-Mallory. To the brave pilots of the RAF, men like Peter Townsend, "Sailor" Malan, and Richard Hillary. Like the incomparable Douglas Bader, who lost the lower portion of both legs in an air crash in 1931, yet rejoined the RAF, becoming a superb tactician and leader of men as well as a far better pilot than most men with two sound legs.

And we are indebted as well to the unnamed heroes—the Observer Corps, the radar operators, the RAF ground crews and to the engineers, technicians, and aircraft manufacturers at Hawker and Supermarine, to the men that built radar. They gave the RAF the narrow technical edge that compensated in part for the Luftwaffe's numerical superiority.

But Mr. President, while encomiums to the victors on the eve of this anniversary are certainly in order, I have another purpose in mind. The Battle of Britain teaches us lessons that are as fresh and valid today as they were in 1940.

If the people of Britain had listened to Prime Minister Stanley Baldwin and other apostles of air power based only on the offense, they would have invested all their resources in strategic bombers, and would have been without the means to defend their island—without the fighter-interceptors that eventually won the battle.

Baldwin said in 1932 that "... no power on Earth can protect us from being bombed. The bomber will always get through. The only defense is offense, which means you have to kill more women and children more quickly than the enemy if you want to save yourselves..."

Mr. President, this is identical to today's rhetoric of offense-only deterrence, also known as "MAD," or Mutual Assured Destruction. Change "bomber" to "ballistic missile" and Baldwin's speech would be indistinguishable from many speeches heard in this Chamber opposing the strategic defense of the United States.

But fortunately for the free world, the British listened to Winston Churchill and others who advocated the strategic defense of their island. They built fighters as well as bombers. They had hundreds of sturdy, dependable Hurricanes. And despite the extra costs and difficult manufacturing imposed by its revolutionary design, they built R.G. Mitchell's Spitfire, an airplane that could fly faster and turn inside the German Me-109.

And even though skeptics grouched that "it will never work," and "it will cost too much," the British supported the technical genius of Sir Henry Tizard and R.A. Watson-Watt, who developed radar. Radar gave decisive early warning and the direction of Luftwaffe attacks, allowing the RAF to vector and mass its fighter squadrons to meet them.

Mr. President, the right means to defend one's country are essential. To send men into battle with insufficient or inferior means is a profound moral as well as political failure. But important as they are, machines and technology do not always decide the outcome of the battle. Victory—or defeat—occurs first in the human soul. Human will and intelligence must ani-

mate the material means of war; otherwise the machines are just so much scrap metal.

The RAF won not because all their airplanes were technically better or their pilots more skilled. In fact, German fighter planes and pilots were superb. Only the Spitfires were measurably superior, and they were relatively few in number.

No, Mr. President, Britain won the battle because of the innate bravery and toughness of the English people, and their unselfish cooperation and teamwork at all levels, because of the determination and resolve of the Government, because of the inspired, monumental leadership of Winston Churchill—would that we had more like him today.

And ultimately, of course, Britain's victory was the result of the indomitable courage, faith in their cause, and unshakable fortitude of the gallant few, the pilots of the RAF who flew daily, sometimes three or four times daily, into the shadow of death.

They fought not only a brave, skillful, and more numerous enemy. They also fought the stress of unremitting aerial combat, the ordeal of long waits for the order to scramble, knowing that each time they took off might be their last. As the law of averages took its toll, they battled the imminence of their own mortality, and the pitiless lottery of war that could draw their number at any time and send them down to flaming death.

And so, Mr. President, I offer a personal tribute to the pilots of the Royal Air Force. Mostly British or from Commonwealth nations, but also among them Poles, Czechs, Free French, and even some Americans.

I salute the living veterans of the battle, those who survived to enjoy the thanks of their countrymen and the sweetness of victory. As for the 550 young men cut down in the flower of their youth in 1940, we can only remember their sacrifice with gratitude.

They shall not grow old as we who are left grow old: Age shall not weary them, nor the years condemn. And at the rising and the going down of the sun, We will remember them.

TAX POLICIES TO SPUR ECONOMIC RECOVERY

Mr. KASTEN. Mr. President, I rise today to make a few brief comments about taxes, the budget and the state of the U.S. economy.

This is a time of immense economic peril for America. We've all been following the developments in the Middle East. And we all know that the oil price shocks may well tip America into recession.

The alarm bells are ringing in the real economy:

Real GNP growth is down to 1.2 percent.

Inflation has ticked up to 5.8 percent.

The NFIB's small business optimism-index is at the lowest level recorded since 1982.

Unemployment has jumped to 5.6 percent—and for the first time in this expansion, the economy has failed to create a single new private sector job.

It's beginning to look much like the America of the late 1970's: Slow growth. High inflation. High unemployment.

But we should not blame it all on the Iraqi invasion of Kuwait and rising oil prices. I think most of the blame rests on the misguided policies that have been passed by the Congress.

We have turned away from the pro-growth policies that were responsible for America's remarkable prosperity in the last decade.

In the early 1980's, we cut tax rates. We deregulated the economy. We reduced the growth rate of spending. And we improved monetary policy.

These pro-growth policies sparked the longest peacetime recovery in history, generating over 20 million new jobs, raising family incomes and spurring a record rate of small business creation.

We based our economic recovery plan on the belief that there is no limit to what individual Americans can do to create prosperity and opportunity—if they are freed of unreasonable limits imposed on them by government.

But in recent years, we've abandoned this formula for success:

The growth rate of Federal spending has jumped from 1.4 percent in 1987 to 7.4 percent in 1989.

A new round of overregulation and unreasonable mandates have hampered the ability of small businesses to grow and prosper.

Perhaps most important of all, the dramatic hikes in capital gains and payroll taxes over the last few years have put a brake on risk investment and job creation.

It's time to turn back from the brink—to do everything we can to get the economy moving again. We can prevent the kind of economic malaise we experienced in the late 1970's by going back to the policies that created our prosperity in the 1980's.

I think an impending recession brings a new dynamic to the budget debate. Instead of a budget summit, we ought to be convening a "growth summit."

Economic growth should be our No. 1 priority—our No. 1 goal. And most economists—both Keynesian and supply-siders—would agree that the quickest and most effective way to stimulate growth is to cut taxes, not increase them.

We need to cut the capital gains tax to 15 percent as I have proposed along

with CONNIE MACK and RICHARD SHELBY.

America has lost its entrepreneurial edge. Since the capital gains tax was raised in 1989, overall investment growth has slowed and new business formation has actually declined for the first time in this expansion.

The high capital gains tax has reduced real estate values, thus increasing the cost to the S&L bailout. Also by locking in gains, it has hurt many State budgets which had previously relied on taxable capital gains for their State tax receipts.

It's just not right for us to hamper our entrepreneurs at a time when our competitors abroad have cut their own capital gains taxes—and in many cases, eliminated the tax altogether.

We ought to cut the Social Security payroll tax along the lines proposed by Senator MOYNIHAN.

This regressive tax is forcing many small businesses to lay off workers. It punishes one of America's most vibrant sectors—self-employed individuals who have to pay both portions of the tax.

It hits those at the very bottom of the economic ladder the hardest. Instead of using this money to mask the deficit, we ought to give it back to the workers and small businesses of America who earned.

This tax cut will show up immediately in the paychecks of America's working families, stimulating consumer spending and work incentives.

And contrary to popular misconception, these tax cuts would not make it harder for Congress to balance the budget. Just the opposite: If enacted, this plan will make it easier to control the red ink by encouraging rapid economic growth.

Economist Allen Sinai estimates that a 15 percent capital gains tax will stimulate investment and GNP growth to generate almost \$40 billion in new tax revenues over 5 years.

While the revenue gain from a capital gains tax cut will not entirely offset the revenue loss from a payroll tax cut in the short-run, these two tax cuts combined will increase GNP in the long-run.

Any temporary loss from this package will be far less than the losses that would result from a recession.

A modest recession—negative 1 percent real growth for four quarters—would increase the deficit by \$340 billion over 5 years, as compared to current economic assumptions.

A deep recession—negative 1.8 percent growth, similar to the 1974-75 recession—would increase the deficit by \$415 billion over 5 years.

A severe recession on the scale of the 1981-82 could increase the deficit by \$600 billion over 5 years.

Furthermore, a recession will dramatically increase the cost of the S&L

ballout, raising the deficit by hundreds of billions more.

We can't fight the deficit with economic growth alone. We've got to cap the growth rate of Federal spending.

I want to commend the summitters for making significant progress on the spending side. I think we've got to be sure that those savings are enforceable.

Otherwise, we'll end up with another deal like the 1982 TEFRA compromise which promised \$3 in spending cuts for \$1 in higher taxes, but instead increased spending by more than a \$1 and deficits by \$80 billion.

Mr. President, America is at an important economic crossroads in history: Will we go forward with the low-tax policies of the booming 1980's, or will we turn back to the dark days of high taxes and despair of the 1970's.

I am confident that we can put together a bipartisan coalition for growth and opportunity. I think we can combine pro-growth cuts in the capital gains tax and payroll tax in way that would engender wide bipartisan support.

I think we can go forward. I hope to bring this tax cut package to a vote as an amendment to the long-term debt ceiling bill. Let's put the Senate on the side of jobs, economic growth and opportunity.

I yield the floor.

SOVIET MILITARY TRAINS IRAQI TROOPS IN LATVIA

Mr. HELMS. Mr. President, yesterday the Government of the Republic of Latvia discovered that Iraqis are being trained on a Soviet military base in Riga. The Soviets have not suspended activities designed to help the Iraqi Government gain military expertise even after their condemnation of the illegal invasion of Kuwait.

According to the Supreme Council of the Republic of Latvia, the Soviet Navy is training members of the Iraqi Armed Forces. It is unknown how many other Iraqis are trained in other Soviet military bases.

The news of Soviet duplicity is especially alarming for the Latvian people. The Baltic governments were among the first to condemn Iraq's aggression against the sovereign nation of Kuwait. The Supreme Council would like the world to know that the Republic of Latvia "protests such actions and that the Republic of Latvia has no part in the unfortunate fact that violated Latvia territory is being used to train the soldiers of an aggressor nation." The Republic of Latvia further asked that it be briefed on all activities of foreign military personnel on their territory in the future.

How serious can the Soviets be in ending Iraq's territorial aggression if they continue to train specialists in Iraq and they even bring Iraqis into

military bases on foreign soil that they themselves occupied? Soviet actions in Latvia are a direct threat to world action against the invasion and an affront to American men who are putting their lives at stake in the Persian Gulf. Soviet actions directly contradict Gorbachev's assurances at the Helsinki summit and in the press that the Soviet Union stands with the United States against Saddam Hussein's military machine.

After suffering from foreign domination since 1940, the people of the Baltic States understand the injustice of a large country's territorial aggression against their smaller neighbor. They watch with joy as the world seems to unite to save the Kuwaiti nation from extinction. But they wonder why Kuwait's case is any different from their own. Fifty years after the military invasion of their countries, when the Baltic nations have finally been able to elect governments representative of the people and for independence, Western nations remain hesitant in coming to their aid.

Earlier this week in Moscow, the West suggested that the consequences of World War II have been liquidated. Mr. President, World War II has not ended until the Soviet Union ceases to occupy Lithuania, Latvia, and Estonia militarily and stops assisting countries such as Iraq. The Soviet Union should be well-advised to send the soldiers of Iraq's armed forces out of the territory of the Republic of Latvia immediately as the Latvian Government has demanded, or the United States will have serious questions about the seriousness of the Soviet commitment to the Kuwaiti people.

Mr. President, I ask unanimous consent that reports from the Associated Press and Radio Free Europe on the training of Iraqi troops in Soviet-occupied Latvia, and a resolution of the Latvian Supreme Council be printed in the RECORD in the conclusion of my remarks.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

BALTIC GULF—LATVIA PASSES RESOLUTION ON SOVIET-IRAQ CONNECTION

Moscow, September 14.—The presidium of Latvia's parliament passed a resolution Thursday protesting what it said was the training of Iraqi troops at a Soviet naval base near the republic's capital of Riga.

There was no way to independently verify the report that Iraqi troops were stationed at the Soviet navy training center in the Baltic port.

A Canadian television station reported Wednesday that Latvian foreign minister Janis Jurkans confirmed the Iraqis were being trained at the base.

Latvia, along with the neighboring Baltic republics of Lithuania and Estonia, have declared themselves sovereign republics.

The Soviet Union has condemned Iraq, a longtime ally, following its invasion of

Kuwait on Aug. 2 and has cut off arms shipments to Baghdad.

In the past, the Soviet Union has trained thousands of soldiers from socialist states and other nations to whom it has sold military weapons.

Andrejs Krastins, a vice-chairman of the Latvian parliament, told a western reporter in Riga that there were "several dozen" Iraqis studying rockets and missiles at the base, and he suggested that Latvia might cut off water, electricity and food to the base.

The resolution, endorsed by the parliament's presidium, or cabinet, expressed "a firm and categorical protest against the stationing and military training of soldiers from the armed forces of the aggressor-state Iraq, which is occurring in the territory of the Republic of Latvia and is sponsored by the military leaders of the U.S.S.R. armed forces."

The resolution demanded that parliament's defense and internal affairs commission inspect the base, that any Iraqi soldiers leave Latvian territory, and that the administration of the Soviet navy and the Baltic military district "immediately inform the supreme council of the Republic of Latvia about all foreign military personnel and their family members who are stationed in the territory of the Republic of Latvia."

IRAQI SAILORS BEING TRAINED IN LATVIA, SUPREME COUNCIL LEADER STATES

(Munich, West Germany—RFE) The American Latvian Association today received a report, by way of Radio Free Europe/Latvian Section, by Latvian Supreme Council Vice-Chairman Andrejs Krastins, which revealed that the USSR Navy is training Iraqi sailors at a naval training facility just north of the Latvian capital, Riga. A translation of that report follows:

TRAINING OF IRAQI SOLDIERS IN LATVIA BRINGS PROTEST

As Andrejs Krastins, vice-chairman of the Supreme Council of the Republic of Latvia, announced on September 12, Iraqi officers and soldiers—the complement of two warships—are being trained in Bolderaja. It is anticipated that the Presidium of the Supreme Council of Latvia will adopt on September 13 an official protest resolution, which will be distributed to the world press and delivered to the Iraqi and Kuwaiti Embassies in Moscow (see ALA Press Release "Supreme Council Condemns Training of Iraqis on Latvian Soil" for full text of adopted resolution).

In talking to Radio Free Europe A. Krastins said: "We currently have an exceedingly painful problem in Latvia, due to official information, that has appeared on television and in the press, concerning the training of Iraqi naval officers and soldiers at the Bolderaja training center, which belongs to the Soviet Navy."

We condemn this in the strongest manner, Tomorrow (Sept. 13) the Presidium of the Supreme Council will also review this matter, because we would like to turn to the entire World community with an assurance that the Republic of Latvia protests against such actions and that the Republic of Latvia has no part in the unfortunate fact that violated [Latvian] territory is being used to train the soldiers of an aggressor nation."

In response to a question on the number of such soldiers in Bolderaja, he responded, "according to preliminary information, which was shown on [Latvian] television,

they consist of the complement of two small missile ships."

A. Krastins concluded: "This is a direct threat to the United Nations-sanctioned security forces in the Persian Gulf and it contradicts Gorbachev's assurances, which were presented both at the Helsinki summit and in the press." A. Krastins expected that the resolution by the Presidium of the Supreme Council would be adopted on September 13 and passed along to the press, as well as sent to the Iraqi and Kuwaiti Embassies in Moscow, "with which we express our solidarity with Kuwait."

RESOLUTION OF THE SUPREME COUNCIL PRE- SIDIUM OF THE REPUBLIC OF LATVIA "RE- GARDING THE STATIONING OF IRAQI MILI- TARY PERSONNEL IN THE TERRITORY OF THE REPUBLIC OF LATVIA"

The Supreme Council of the Republic of Latvia,

Taking into account the recent information about the military training of soldiers from Iraq's armed forces which is currently taking place at the USSR Navy Training Centre located in Riga, the capital of the Republic of Latvia;

Considering that this information has been verified by the administration of the above-mentioned training centre; and

Taking into consideration the August 3, 1990 Communiqué of the Supreme Council of the Republic of Latvia which condemned the aggressor-state Iraq and expressed its moral support to the people of Kuwait and to its legitimate government, resolves:

1. To express a firm and categorical protest against the stationing and military training of soldiers from the armed forces of the aggressor-state Iraq which is occurring in the territory of the Republic of Latvia and is sponsored by the military leaders of the USSR armed forces.
2. To demand that the soldiers of Iraq's armed forces leave the territory of the Republic of Latvia.
3. To demand that the administration of the USSR Navy and the Baltic Military District immediately inform the Supreme Council of the Republic of Latvia about all foreign military personnel and their family members who are stationed in the territory of the Republic of Latvia.
4. To request the Defense and Internal Affairs Commission of the Supreme Council of the Republic of Latvia to immediately inspect the USSR Navy Training Centre in Riga and to report back to the Supreme Council of the Republic of Latvia.
5. This resolution becomes effective at the moment of its adoption.

A. GORBUNOV,
Chairman of the Su-
preme Council of
the Republic of
Latvia.

T. DAUDISS,
Secretary of the Su-
preme Council of
the Republic of
Latvia.

RIGA, September 1990.

SHOES FOR SOLDIERS

Mr. KASTEN. Mr. President, at a time when the hearts of all Americans are with our men and women in uniform in the Persian Gulf, we ought to take time to recognize the efforts of those who are making the lives of America's soldiers a little bit easier.

Freeman Shoes of Beloit, WI, deserves special praise in this regard.

Freeman Shoes—the manufacturer of a black military shoe that weighs considerably less than other military shoes—recently beat out no fewer than 18,000 other firms to win the coveted Innovative Product Award of the Army and Air Force Exchange Service.

I am proud to take this opportunity to congratulate company president Prasad Reddy and the 410 employees of Freeman Shoes on this important honor. I ask unanimous consent that the text of an article detailing the achievement of Freeman Shoes be included in the RECORD at this point.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

[From the Wall Street Journal, Sept. 7, 1990]

ARMY ISSUE

(By Nathan Seppa)

BELOIT.—Wisconsin doesn't hold a big niche in the military-industrial complex, but every day thousands of American military personnel slide into shoes made in Beloit.

Freeman Shoes, that is. And the footwear has become so popular with men and women in uniform that the Army and Air Force Exchange Service has awarded the firm with its "Innovative Product" award.

Freeman beat out 18,000 other firms that sell goods to the Pentagon to become only one of four to receive the prize this year.

The product: a black shoe that weighs considerably less than the old standard military dress shoe—but shines up just as well.

"Nike and the others competed for this award," Freeman President Prasad Reddy told the firm's 410 employees who gathered under a blazing sun Thursday outside the plant to view the award. "But we got it."

Reddy wouldn't divulge how much the Pentagon pays for the shoes, but he said a similar civilian model would go for about \$100.

The Freeman shoes won't see combat in the Mideast, but everyone in the service needs at least one dress uniform, top to bottom. These are the bottom.

Freeman itself bottomed out a few years ago. "We've been through some rough times," Reddy told his employees, referring to the company's sale and restructuring in the past three years. "The military business has kept this business going."

Freeman makes men's and women's military shoes, in both leather and provar, a synthetic plastic material that simulates patent leather.

Actually, lightweight shoes have been in style on the street for years. "But nothing had been done for the man in uniform," said Joseph Cikar, general manager for military sales at Freeman.

After some negotiations with military officials, prototypes were developed and a shoe was agreed upon.

The result has been millions of dollars of business for Freeman and a measure of job stability for the workers here, about 300 of whom are members of the United Food and Commercial Workers Union Local 312R.

Katherine Perry, president of the local, said the workers make about \$6 an hour—mostly by cutting, sewing and other shoe

work. They are paid on an incentive plan, or piecework.

Perry, herself a 37-year veteran of the plant, said later in the afternoon that the applause for Reddy's speech was genuine. "Prasad has a good outlook. People look up to him. We're hoping for good things to come," she said.

Nonetheless, the workers make fairly high payments on such things as health insurance. For example, Perry, who has family coverage, pays about \$48 a week, even though the company pays a larger portion. Also, a retirement plan hasn't yet been worked out with the company.

In any case, spirits were undeniably high Thursday at the plant—which has about as many male as female workers. Many of the machines used are cast iron Singers, some 40 or 50 years old.

"They last forever, with proper maintenance," said Daniel McGinley, vice president of operations, as he strolled among the workers. "I guess Singer didn't know about planned obsolescence."

The material moves along from one group of women to another. First the leather or provarir is cut to size. The next group trims edges and sews labels on. Another sews linings into the sides, and the next stitches the sides and back. The uppers then are put in a heating chamber called a muller to soften, making the final job possible.

Stapling the insoles is hard work and involves more men than women. Finally, soles are attached and trimmed to size.

The company makes dozens of shoes, ranging from conservative business shoes to stylish, low-cut European loafers.

Workers are putting in overtime these days. This is the busy season, Reddy said, as sales are highest in November and December.

TERRY ANDERSON

Mr. MOYNIHAN. Mr. President, I rise today to inform my colleagues that today marks the 2,008th day that Terry Anderson has been held captive in Beirut.

And the fifth anniversary of a great moment. The Reverend Benjamin Weir's release. After 494 days in captivity, Reverend Weir brought a message from Islamic Jihad and welcome news of David Jacobsen, Father Martin Jenco, Thomas Sutherland, and Terry Anderson.

Mr. Jacobsen and Father Jenco were released the following year. Thomas Sutherland and Terry Anderson still wait. As we celebrate with the Weir family, let us also remember the others and pray for their freedom.

THE SENATE INTELLIGENCE COMMITTEE'S REPORT ON U.S. CAPABILITY TO MONITOR SOVIET COMPLIANCE WITH THE THRESHOLD TEST BAN TREATY [TTBT] AND THE TREATY ON PEACEFUL NUCLEAR EXPLOSIONS [PNET]

Mr. BOREN. Mr. President, the Senate will shortly take up the question of whether to give our advice and consent to the ratification of two long-unratified treaties—the Threshold

Test Ban Treaty [TTBT] of 1974 and the Peaceful Nuclear Explosions Treaty [PNET] of 1976. New verification protocols to these treaties were signed by Presidents Bush and Gorbachev on June 1 of this year and submitted to the Senate on June 28.

The Select Committee on Intelligence has been closely following the progress of the nuclear testing talks since September 1988. After agreement was reached on the new protocols, we held three hearings on United States capabilities to monitor Soviet compliance with the treaties and protocols and to meet the counterintelligence and security challenges posed by the regime of onsite inspection and monitoring that the treaties and protocols will create. Those hearings were supplemented by answers for the record staff-level briefings and staff visits to sites associated with the U.S. nuclear testing and monitoring programs.

Our committee also took steps to encourage executive branch analysis of these issues. On September 19, 1988, we requested that the Director of Central Intelligence produce a formal document, approved by the National Foreign Intelligence Board, on the ability of the United States Government to monitor Soviet compliance with the two treaties. This led first to an analysis published by the Director of Central Intelligence's Joint Atomic Energy Intelligence Committee in July 1989, and eventually to a national intelligence estimate published in July 1990.

To maximize the usefulness of the national intelligence estimate, we asked the Chairman of the Joint Chiefs of Staff to submit to the Director of Central Intelligence his assessment of the levels of Soviet evasion that he would consider militarily significant. We also asked the Secretary of Energy to provide an assessment of the Soviet technical, logistic, and programmatic requirements necessary to conduct such evasion. As a result, the national estimate is directly relevant to the policymaker and reflects the combined expertise of many agencies in the executive branch.

Last Wednesday, September 12, the committee unanimously approved a 116-page classified report on these subjects. This report covers the verification protocols, United States collection and analytical capabilities, cooperative verification measures, Soviet compliance, evasion scenarios, monitoring judgments, safeguards, counterintelligence issues, and implementation concerns. This report is available to all Members of this body, under the provisions of Senate Resolution 400. I encourage every Member of the Senate with an interest in these treaties to visit our committee offices and read this report.

The committee also approved a short unclassified report, which I am

pleased to file with the Senate. I also ask unanimous consent that the key findings and recommendations from this report be made part of the RECORD at this time.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

KEY FINDINGS AND RECOMMENDATIONS

BASIC MONITORING JUDGMENTS

1. As a result of the cooperative monitoring and inspection measures negotiated with the Soviets and recent improvements in U.S. analytical methodologies, the overall U.S. capability to monitor Soviet compliance with the 150-kiloton limits in the Threshold Test Ban Treaty (TTBT) and the Peaceful Nuclear Explosions Treaty (PNET) has been significantly improved.

2. The Committee concludes that unilateral U.S. capabilities and the cooperative measures provided for in the verification Protocols are sufficient to monitor Soviet compliance with the 150-kiloton limits.

3. The Soviets could conduct tests slightly above the 150-kiloton limits without the U.S. Government being certain that they had done so. The Soviets could not evade the 150-kiloton limits by a significant amount, however, without a lengthy, costly and risky covert evasion effort.

4. It will be more difficult to monitor Soviet compliance with the 35-kiloton and 50-kiloton "trigger levels" for onsite inspection and hydrodynamic or in-country seismic monitoring. These trigger levels will still serve their primary purpose, however, of making any major evasion of the 150-kiloton limits a much more daunting task for the Soviets.

SOVIET INCENTIVES TO COMPLY OR TO EVADE

5. The primary motivations for Soviet evasion would be to conduct full-yield tests to validate the performance reliability or safety of old or new weapons, or to preclude U.S. knowledge of Soviet exotic weapons programs.

6. These motivations are offset by Soviet reliance on proven nuclear weapon designs; by the fact that most nuclear testing needs can be met by tests under 150 kilotons; by the high costs of covert evasion; by the uncertainty that any evasion scenarios would work as intended; and by the risk of detection by the United States or revelation by an increasingly open and anti-nuclear Soviet press and society. The cost, risk and uncertainty factors would all increase if more than one illegal test were attempted.

EVASION SCENARIOS

7. Although the motivations and risks described above did not lead any executive branch witnesses to expect the Soviet Union to attempt any evasion of the Treaties, the following evasion scenarios were presented as examples of the most feasible approaches:

a. The Soviets could attempt an unannounced 300-kiloton explosion in a large cavity to reduce the seismic signal generated by the explosion, and thus the estimated yield, to near the 35-kiloton trigger level for on-site inspection. Covert construction of such a cavity would be a major activity costing hundreds of millions of dollars, requiring years to create and still running the risk of being detected.

b. Because the TTBT Protocol does not restrict the timing or separation of any tests below 35 kilotons, the Soviets could conduct multiple tests that would degrade seismic

estimates of yield. Multiple-explosion evasion scenarios appear more feasible regarding the trigger levels than for any significant evasion of the 150-kiloton limit.

c. Testing in deep space, a violation primarily of the Limited Test Ban Treaty of 1963, is the only technically feasible method of completely concealing the occurrence of a large nuclear explosion. The Soviets would not only have to fly a nuclear payload and testing equipment deep into space and be willing to pay the cost, but would also have to develop an adequate cover story for the mission and for their retrieval of testing data at a time when they are increasingly open about their scientific space missions.

PAST SOVIET COMPLIANCE

8. Given current U.S. Government estimates of the yields of past nuclear tests, the Committee can rule out any major Soviet violations of the 150-kiloton limits of 1976. The pattern of past Soviet testing is consistent with either of two other hypotheses; Soviet compliance with the 150-kiloton limit; or a few slight violations of it. The military rationale for slight violations remains in doubt.

9. The inability of the U.S. Government to determine whether the Soviets had or had not violated the 150-kiloton limits was sufficient reason for the United States to negotiate more stringent verification protocols.

IMPLEMENTATION AND COUNTERINTELLIGENCE

10. The executive branch has made sensible decisions on organization and policy for implementing the verification Protocols, analyzing the resulting data, producing monitoring estimates and reaching verification judgments.

11. There is a threat of Soviet intelligence exploitation of the inspection process, including efforts to compromise the secrecy of U.S. nuclear weapons and defense programs and to target U.S. inspectors in the Soviet Union.

12. No comprehensive interagency risk assessment has yet been completed. The risks at the Nevada Test Site and at potential locations for housing Soviet inspectors have not been fully evaluated partly because not all relevant Executive branch elements have participated adequately in the assessments.

13. The Executive branch has not yet resolved major issues of funding for implementation and counterintelligence. While the President could postpone exchanging instruments of ratification until funds for implementation are available, the mere availability of funds will not guarantee that the several agencies involved will have the needed counterintelligence resources in place before the first inspection occurs.

PROTOCOL CHANGES

14. The TTBT Protocol contains not only the basic monitoring rights, but also other provisions affecting monitoring capabilities that are essential for effective verification. They include those that specify data to be provided by the Testing Party; assure the reliability of CORRTEX monitoring; set the criteria for "standard" nuclear tests; and list the permitted activities and equipment of inspectors and monitors.

15. The TTBT Protocol also contains provisions that are essential for effective counterintelligence. They include provisions requiring the use of anti-intrusiveness devices and giving the United States the right to escort Soviet personnel at all times; to control the travel and contacts of Soviet personnel; to examine any equipment brought to the United States; and to inspect the bag-

gage, personal belongings and packages brought or mailed by Soviet personnel.

16. These provisions are subject to change by the Bilateral Consultative Commission established pursuant to paragraphs 2-4 of Section XI of the TTBT Protocol. Executive branch statements thus far do not provide sufficient assurance that changes in such essential provisions will be subject to the advice and consent of the Senate.

RECOMMENDATIONS

1. The Executive branch should provide firm assurances that any changes in the TTBT Protocol regarding provisions that are essential for effective U.S. monitoring counterintelligence or security—such as those listed above—will be treated as amendments to the Protocol that are subject to the advice and consent of the Senate. The Committee recommends that a condition to the instrument of ratification be enacted to buttress those assurances.

2. The Executive branch should also assure the Senate that it will provide the Senate intelligence Committee prior notice of any other proposed change in the TTBT Protocol that may have a negative impact on U.S. monitoring, counterintelligence or security capabilities, to enable the Committee to voice an objection in appropriate cases, before the issue becomes moot. The Committee recommends that a condition to the instrument of ratification be enacted to protect the interests of all relevant Committee of the Senate.

3. The Parties agree, in paragraph 3 of Article I of the TTBT, to "continue . . . negotiations with a view toward achieving a solution to the problem of the cessation of all underground nuclear tests." The Committee did not consider whether the United States should negotiate further constraints on nuclear tests, but supports further research into technologies that may contribute to verification of compliance with any new obligations the United States may undertake.

4. The Executive branch should complete a comprehensive risk assessment immediately. In conjunction with that assessment, relevant agencies should inform the Intelligence Committee of their plans for effective counterintelligence and security countermeasures.

5. The Committee recommends that a condition to the instrument of ratification be enacted requiring that the President not exchange instruments of ratification until he certifies to the Senate that sufficient resources and time are available to prepare for TTBT implementation, including counterintelligence and security countermeasures.

Mr. BOREN. Mr. President, the committee's report finds that U.S. monitoring capabilities have been significantly improved in recent years, thanks to both improved methodologies and the new verification protocols. The committee concludes that U.S. capabilities will be sufficient to monitor Soviet compliance with the 150-kiloton limits in each treaty.

There are seven other findings regarding U.S. monitoring capabilities, and I invite my colleagues to study them in the RECORD. When the treaties come before the Senate, I will make a further statement setting forth all our findings. I will also introduce into the RECORD at that time the substantive comments on the treaties

and protocols that we received from outside experts whom we asked to provide written statements of their views.

For now, however, I would like to focus my colleagues' attention on two issues that prompted the committee to suggest the need for conditions to an eventual resolution of ratification—U.S. preparedness to meet the counterintelligence and security challenges posed by on-site inspection and monitoring; and the question of how to change protocol provisions.

On the issue of counterintelligence and security measures, the committee found that there is a threat of Soviet intelligence exploitation of the inspection process, that no comprehensive interagency risk assessment has yet been completed, and that the executive branch has not yet resolved major issues of funding for the needed measures. We recommended that the executive branch complete a comprehensive risk assessment immediately. We also recommended:

That a condition to the instrument of ratification be enacted requiring that the President not exchange instruments of ratification until he certifies to the Senate that sufficient resources and time are available to prepare for TTBT implementation, including counterintelligence and security countermeasures.

It will not surprise my colleagues to hear that this recommendation attracted the attention of the executive branch. Indeed, ever since they received an early draft of this recommendation, executive branch officials have been trying to come to grips with the lack of preparedness that we had found.

They also have been trying to work out assurances that they could provide to this committee that would alleviate the need for a condition to the resolution of ratification.

Subsequent to the committee's release of our unclassified report to the Senate, the vice chairman of the committee and I received parallel letters from the Assistant to the President for National Security Affairs, General Scowcroft, setting forth his understanding of the need for action in this area and the types of action that remained to be taken. I ask unanimous consent that the text of that letter be included in the RECORD at this point.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

THE WHITE HOUSE,

Washington, September 13, 1990.

Hon. DAVID L. BOREN,
Chairman, Select Committee on Intelligence, U.S. Senate, Washington, DC.

DEAR MR. CHAIRMAN: As the Threshold Test Ban Treaty and the Treaty on Peaceful Nuclear Explosions proceed toward the Senate's advice and consent on ratification, I want you to know that we share the Senate Intelligence Committee's concern over the need to implement effective counterintelligence and security measures to protect U.S.

personnel and programs from improper collection of information by Soviet on-site inspectors or monitors. This is a matter of high priority for the Administration.

There are several elements to these measures, all of which need to be in place before Soviet inspectors and monitors may safely be hosted. These include the selection of suitable locations for housing Soviet personnel for the Nevada Test Site and the Designated Seismic Stations. (It might prove necessary to select a temporary site, with the understanding that a permanent site will be completed promptly.)

Once these decisions are made, we can finalize the necessary security details to protect personnel or programs that might otherwise be vulnerable to compromise and also resolve any remaining funding matters. While these matters must be addressed expeditiously, we do not want to rush into decisions that could later prove harmful to the national security.

I want to assure you that the Administration will take no action under the Treaty that would endanger or compromise vulnerable U.S. programs.

I appreciate your concerned approach to these questions and look forward to our continued cooperative efforts to ensure that the interests of arms control verification and security are satisfied.

Sincerely,

BRENT SCOWCROFT.

Mr. BOREN. General Scowcroft also provided the following assurance to the committee:

I want to assure you that the administration will take no action under the treaty that would endanger or compromise vulnerable U.S. programs.

This is an important assurance, for two reasons. First, it comes from a ranking official who is in a position to bring together the several agencies that will be involved in implementing U.S. security measures. Second, it is based upon discussions between our committee and the executive branch on what actions might "endanger or compromise vulnerable U.S. programs" and how to avoid those actions.

The executive branch has asked us not to go into detail in public regarding the steps that they can take to avoid endangering U.S. programs. I want to assure my colleagues, however, of my confidence that the administration both understands the importance of this problem, and will take the steps required to protect the national security.

As a result, it is my personal view the steps that the executive branch can take would be preferable to delaying the exchange of instruments of ratification. Any delay in the treaty's entry into force could deprive the United States of a chance to monitor a Soviet nuclear test that we would otherwise be entitled to monitor.

Given the assurances that we have received from General Scowcroft, I am, personally, satisfied that we will not need to go forward with a condition to the resolution of ratification. I stress that in this view, I am only speaking for myself and not the other

members of the Intelligence Committee. I pledge to my colleagues, however, that the Intelligence Committee will also watch closely over the implementation of the TTBT to make sure that the executive branch lives up to those assurances.

The other issue that prompted the Intelligence Committee to recommend conditions to the resolution of ratification was how to make changes in the TTBT protocol. This is a question of institutional concern that transcends the equities of the Intelligence Committee.

Our committee recommended that the executive branch provide further assurances regarding what changes would clearly require the Senate's advice and consent, as well as an assurance of prior notice of any changes "that may have a negative impact on U.S. monitoring, counterintelligence or security capabilities." We also recommended that those assurances be formalized in conditions to the resolution of ratification.

It is my hope that at the time the treaties come to the floor for the Senate's consideration, the majority and minority leaders and the leaders of the Foreign Relations, Armed Services, and Intelligence Committees, will convene to evaluate the progress that has been made with the administration, and decided how best to proceed to preserve the equities of the Senate, as this treaty will last far beyond any one administration.

I believe our recommendations seeking conditions to the instruments of ratification are intended to identify potential problem areas, and create a vehicle for further debate. At the point in time in which we consider the treaties, more dialog with the executive branch was required. It is my hope that at the end of the process, we will reach a common agreement on how best to proceed which may or may not involve the need for formal conditions or reservations. It is quite possible that the assurances we receive from the administration will suffice.

Mr. President, these are technical issues in what is otherwise a truly fine set of treaties and protocols. The issues we have raised do not keep the Intelligence Committee from believing that Soviet compliance with the 150-kiloton limits can be effectively monitored. But they are issues of concern, nonetheless.

I believe that the raising of one issue has already resulted in a reasonable solution. The other merits continued effort, so as to do this job right.

PAKISTAN: IN THE TWILIGHT OF OBSCURANTISM

Mr. CRANSTON. Mr. President, the Persian Gulf is not the only region where the forces of obscurantism and unreason are on the march. Last

month, the Democratic Government of Pakistani Prime Minister Benazir Bhutto was overthrown in a quasi-military coup.

The events of August 6 were a major setback for the U.S. policy in the Indian subcontinent. Section 513 of the foreign operations appropriations law forbids U.S. assistance if a democratically elected head of government is overthrown by military coup or decree.

It was crystal clear on the day of the coup, and even more so as time wore on, that the Pakistani military was deeply involved in the planning and execution of the Putsch against the Bhutto Government.

The degree the new government does not represent the unreasoning forces of Moslem fundamentalism, is the degree to which its supposedly democratic civilian leadership are Trojan horses for authoritarian military forces who hoped to regain prerogatives lost under Bhutto.

As I said the day of the coup, Benazir Bhutto is a symbol of liberty and moderation in Pakistan and throughout the world.

Those who overthrew here resorted to force to accomplish what they could not do by reason and persuasion. Their deeds can only be seen as an authoritarian sneak attack on democratic institutions and procedures, launched under the cover of the current Iraq-Kuwaiti crisis.

The day after the coup, I called President Ghulam Ishaq Khan—the man who with military backing had dismissed Prime Minister Bhutto's government—to express my concern for her safety and to emphasize the importance that democracy be restored in Pakistan.

He assured me that new elections—free, fair, and with international observers—would be held on schedule, and that Ms. Bhutto and top members of her cabinet would be allowed to run.

However, since that time grave concerns have arisen concerning the caretaker government in Islamabad, as well as in the four provincial capitals. In none of these can officials be considered fair and impartial. They include the most rabid opponents of Ms. Bhutto and almost all are apologists for the corrupt and brutal regime of the late dictator Zia Ul-Haq.

Not only have top-ranking officials of the Pakistani civil service been purged. Hundreds of members of the Pakistan People's Party [PPP] have been arrested under emergency powers and held without charge.

Prime Minister Bhutto and ranking members of her government have been brought before specially convened tribunals, throwbacks to the previous martial law regime, outside the constitutional courts system of Pakistan,

with the power to disqualify candidates for public office.

These tribunals, characterized by Ms. Bhutto as "kangaroo courts," are a clear attempt to check the growing political assessment in Pakistan that, if fair and free elections were held, Ms. Bhutto and the PPP would again win a convincing victory.

"The tactics of the army and the acting government are taking on an element of farce, so blatant is the attempt to destroy the doggedly determined Miss Bhutto as a political force," noted a September 6 dispatch in the Times of London. "The government, widely discredited as inept and discredited, has spent its entire time in power in vain attempts to turn opinion decisively against Miss Bhutto."

There have also been reports that major drug barons—people who were arrested during the Bhutto government, in cooperation with the U.S. Drug Enforcement Agency—have been released.

Mr. President, I have been disturbed and angered by the administration's tepid response to events in Pakistan. The threadbare constitutional justification for the coup, according to our State Department, "is an internal matter for the people of Pakistan to decide."

Even now, there is uncertainty about whether the Bush administration would consider the possibility of exclusion of the leadership of the PPP from the October election as sufficient cause for a suspension of military and economic assistance.

This is no time for faint hearts or soft voices. The generals and their civilian footmen need to know that free, fair, and internationally supervised elections are the sine qua non of good relations between our two peoples.

Mr. President, during the period of the cold war there were perhaps arguments for maintaining relations with Pakistan's autocrats. These reasons, of uncertain validity, are even more irrelevant now.

If democracy does not return to Pakistan in the clearest form next month, there can be no alternative to cutting off aid to a Pakistan mired in the dark age of dictatorship.

Mr. President, I ask unanimous consent that certain items be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

KARACHI, PAKISTAN,
August 28, 1990.

DEAR SENATOR CRANSTON: At this very difficult time for my country, my family and myself, your strong words of support for democracy in Pakistan have given us moral strength.

The coup, under the trappings of the constitution, has overthrown a democratically elected government and replaced it with elements inimical to the people's mandate, threatening any semblance of democracy in

Pakistan. If free and fair elections are not held within the 90 days required by the Constitution, democracy may be crushed for another generation. Let us recall that General Zia, when he overthrew a democratically elected government in 1977, also promised elections within 90 days. They were finally held eleven years later.

We are concerned that those involved in the new regime in Islamabad and in the four provinces are not caretakers but undertakers of a democratic Pakistan. We suspect that President Ghulam Ishaq Khan, to justify his overthrow of our government, will utilize tribunals established under laws promulgated during the martial law regime to disqualify myself and the key leadership of the PPP from contesting elections. These tribunals are antithetical to the basic tenets of the judicial process—the president indicts, handpicks the judge and prosecutor and implements the sentence. The presumption of innocence is reversed and little appellate remedy exists. Even postponement to prepare a defense is not allowed. The tribunals are nothing short of kangaroo courts created to deny the people of Pakistan a meaningful choice in elections. As the New York Times so rightly opined yesterday in a lead editorial, "an election that excluded Ms. Bhutto or key members of her party could scarcely be considered democratic."

You have been a great friend of Pakistan and a great friend of democracy. We are counting on the United States Congress to once again uphold those universal human and political rights that have been central to your country for the last 200 years.

I again wish to thank you for all you have done and for all you will do to restore democracy to Pakistan.

Sincerely,

BENAZIR BHUTTO.

AUGUST 6, 1990.

(Following is a statement by Senate Majority Whip Alan Cranston, a member of the Senate Foreign Relations Committee, who in July went to Pakistan and India at the request of both governments to investigate the dispute over Kashmir.)

I am shocked and angered by last night's quasi-military coup in Pakistan. I am also gravely concerned about the personal safety of Prime Minister Benazir Bhutto, who has been a symbol of liberty and moderation in her own country and throughout the world.

Last night's events can only be termed an authoritarian sneak attack on democratic institutions and procedures in Pakistan, launched under the cover of the current Iraq-Kuwait crisis.

I understand the new puppet Prime Minister, Gulam Mustafa Jatoi, had only this weekend called for a parliamentary vote of no confidence in the Bhutto Government. All indications are that, when it was clear he would lose such a vote, he then conspired with the military and the president to take power in a shady parliamentary maneuver.

Opponents of Prime Minister Bhutto had tried, and failed, several times before to put an end to the experiment in democracy she headed. They tried parliamentary votes of no confidence, and lost. They also tried to get her ministers of government to desert her, and failed. And now this.

Democratic institutions cannot be played with so lightly.

The Pakistani constitution requires that new elections be held within 90 days. To be acceptable, these elections must be free, fair and impartial, with the presence of international observers. The elections must also be

held without proscriptions, allowing Mrs. Bhutto and senior members of her government to participate.

If these elections are not held by October 24, 1990, as required by Pakistani law, President Bush must invoke those provisions of the Appropriations Act which cut off all aid to countries whose democratic governments have been overthrown.

[From the New York Times, Aug. 27, 1990]

PROTECTING DEMOCRACY IN PAKISTAN

Pakistan's President, Ghulam Ishaq Khan, carefully observed constitutional formalities when he ousted the elected Government of Prime Minister Benazir Bhutto earlier, this month. Ms. Bhutto was nevertheless the victim of a coup in constitutional clothing, sponsored from behind the scenes by military leaders.

Subsequent events have heightened concern that Pakistan's brief democratic interlude could now be ending. A return to military rule in this strategically located country of 100 million would be a severe setback for U.S. policies and could disrupt a relationship that currently provides Pakistan with some \$600 million a year in economic and military assistance.

President Ishaq Khan cited corruption and incompetence as his reasons for removing Ms. Bhutto's Government. There's plausibility to both charges. But democratic practice calls for resolving them in less arbitrary ways. Incompetent governments can be voted out of office. Corrupt officials can be exposed and prosecuted.

Pakistan's present Constitution incorporates changes made during the rule of the military strongman Gen. Mohammad Zia ul-Haq. These subordinated the elected Prime Minister to a President presumed closer to military thinking. Pakistan has been ruled by military government for more than half its 43-year history.

President Ishaq Khan used his constitutional powers to decree a state of emergency and install an interim Government led by a minority party the military likes better than Ms. Bhutto's Pakistan Peoples Party. This new Government, led by Ghulam Mustafa Jatoi, has created special tribunals to try officials of the Bhutto regime.

New elections are still promised for Oct. 24, but such promises have been broken too many times in the recent past to inspire great confidence. An election that excluded Ms. Bhutto or key members of her party could scarcely be considered democratic.

Because Washington winked at anti-democratic practices during the Zia years, Pakistan's generals may be wagering that the U.S. be indulgent again this time. That's a foolish bet. General Zia was treated with kid gloves because Washington valued his commitment to expelling Soviet troops from Afghanistan.

Those troops are now out. With Washington and Moscow talking compromise, a new military backed regime in Islamabad could become an obstacle to an Afghanistan settlement. A new government also increases tensions in the still dangerous confrontation with India over Kashmir. Heavy artillery fire broke out along the Kashmir frontier last week. And Washington continues to worry about Pakistan's efforts to develop nuclear weapons.

Neither the Bush Administration nor Congress is likely to wink again should Pakistan abandon its hard-won democratic rule.

[From the (London) Times, Sept. 6, 1990]
ARMY FAILS TO DETER BHUTTO

(By Christopher Thomas)

Pakistan's military-backed caretaker government, a month old today, is intensifying its witch hunt of political allies of Benazir Bhutto, the deposed prime minister, to save its floundering strategy for keeping her out of power.

The tactics of the army and the acting government are taking on an element of farce, so blatant is the attempt to destroy the doggedly determined Miss Bhutto as a political force. The government, widely regarded as inept and discredited, has spent its entire time in power in vain attempts to turn opinion decisively against Miss Bhutto.

Unless she is blocked by rigged elections or banned from standing, there seems every chance that Miss Bhutto's Pakistan People's party will emerge as the biggest single group in the poll due on October 24, although she would almost certainly fall far short of an outright majority. Attempts by the battery of feuding opposition parties to form electoral alliances are proving elusive, although efforts continue.

With less than seven weeks to election day, there is no sign that Miss Bhutto's political credibility has suffered unduly from the onslaught. She draws large and enthusiastic crowds and her party, although it has been shaken by some high-level defections, has held together surprisingly well. Her declining popularity in Sindh, her home province, appears to have been restored, judging by the turn-out wherever she speaks.

There are three main contenders among opposition parties for the post of prime minister. Ghulam Mustafa Jatoi, the present acting prime minister, Nawaz Sharif, former chief minister of Punjab and head of the powerful Muslim League; and Mohammad Khan Junejo, a former prime minister ousted by the army in 1988.

The military is working to get opposition groups to present the appearance of unity for electoral purposes. The United States, aware of the army's frustration at its failure to discredit Miss Bhutto, has said its aid programme could be jeopardised if the military takes over.

[From the Far Eastern Economic Review,
 Sept. 13, 1990]
SCARE TACTICS

(By Salamat Ali in Islamabad)

Opponents of ousted prime minister Benazir Bhutto are putting pressure to scare her off before the polls promised for 24 October. Bhutto claims to have been offered safe exit from the country but says she will fight to the end against the efforts of the caretaker government and its military supporters to knock her out of the arena before the polls take place.

She and her close associates in the Pakistan People's Party (PPP) are to be tried separately on a range of charges from corruption and misuse of power through embezzlement and abetment of offences, to terrorism and possibly even treason. Special tribunals have been set up for the task because the trials have to finish in time to disqualify the PPP leaders from contesting the elections.

Bhutto's adversaries were installed as a caretaker government in August by the establishment—the supporters of late president Zia-ul-Haq and the military. The interim government has loudly reasserted its pledge to hold impartial elections, but the efforts to ban Bhutto and her associates

cast doubts on its professed commitment to democracy. In turn, the interim government charges that the PPP's objection to being made accountable to special tribunals, rather than normal court procedures, is a ruse to evade responsibility for the party's misdeeds while in power.

Caretaker Interior Minister Zahid Sarfaraz, at a press conference on 1 September, denied the PPP charge that his first act on taking office was to destroy the files alleging his involvement during the Zia era in a scandal over car imports. Instead, he asserted that the magnitude of blatant misdeeds by Bhutto would ensure her disqualification from the electoral race. Sarfaraz said three or four cases of corruption and misuse of power were ready for tribunal action and would soon be taken up. He did not say whether Bhutto would be arrested, but that would be automatic if cases are registered under the Pakistan penal code. In that situation, Bhutto would have to seek bail to participate in the election campaign and, if found guilty, would be barred from contesting the polls.

A case of misappropriation of government funds was announced by the government against the PPP's government's law minister Iftikhar Hussain Gilani on 30 August. Gilani was in charge of the various suits filed on behalf of his party challenging President Ghulam Ishaq Khan's order to dismiss the PPP federal and provincial governments.

Sarfaraz alleges that recent bombings by terrorists in Punjab province and the killings in the Sindh provincial capital of Karachi were interlinked. But the charges of the PPP resorting to terrorism are difficult to sustain; until a couple of weeks ago the erstwhile opposition alliance—which is now the government—was accusing the PPP of no more than ineptitude in dealing with terrorism since the Zia era. The alliance says that the PPP wants to disrupt elections, though observers believe that the PPP wants nothing more than the polls being held on the promised date. The leader of the Jamaat-e-Islami, a component of the ruling alliance, implied on 31 August that the government could seek to put off elections by going to the courts to justify a postponement.

Sarfaraz, under tough questioning during his press conference, lashed out verbally. Asked if his government would look also into charges of corruption of the military under Zia until Bhutto took power, he replied that this would involve going too far back, making accountability a lengthy process. He added: "Instead of looking at the military who are our brothers, one can look into the accountability of journalists."

Sarfaraz announced that investigations were under way into accusations that his predecessor—the PPP government's interior minister Aitzaz Ahsan—passed on secret files on some Sikh militants to India. Sarfaraz said that every Sikh pilgrim coming to Pakistan following a "development" he failed to explain, had mentioned to him that about 500 Sikh militants in Indian Punjab were killed by Indian security forces in an ambush. This is the first time that a responsible Pakistan Government official has hinted—even if obliquely—at a possible Pakistani role in India's continuing Sikh insurgency.

Sarfaraz said that there was no evidence so far of Bhutto's involvement in any incident of sedition. Bhutto herself refuses to comment on this charge made by the government-owned media. She says that her of-

ficials are being arrested, threatened and harassed under a victimisation plan.

Government-owned television charged that Bhutto's husband Asif Ali Zardari had been involved in illegally importing vehicles and was promptly hit with a libel notice by him. According to the pro-government media reports in Karachi, Zardari's servant was hauled up for involvement in the latest Karachi terrorist massacre. Bhutto says that several bank officials arrested last month have been tortured to force confessions to concocted crimes implicating her associates in cases of financial irregularities.

The PPP's hopefuls still believe that the establishment will fail in its attempts to keep their leaders out of the cold, but have not revealed any strategy to beat the loaded dice. Ishaq Khan, who is getting increasingly bruised in the political melee, was asked on 27 August how he reconciled his plea for high moral standards with the continuing horse-trading—the local political term for buying members of the rival camp. He replied: "Free grazing is allowed until 24 October."

Piqued by this comment, Bhutto said that Ishaq Khan himself had asked her party officials to change their loyalties and support his future plans. She alleged that while Zardari's relatives were not involved in any corruption, the president's relatives had taken advantage of their position. She failed to spell out what she meant, but added that it was no secret that a relative of the president was involved in drug trafficking.

According to some observers, the manoeuvrings of the establishment, if they succeed, can end in much graver consequences. According to a commentary in the Frontier Post, such manipulation may also lead to legalising an open political role for key institutions of the establishment and tilting the balance of power further in favour of the military.

"Ours is a military which consistently sets the country's internal and external security policy based on its own outlook, which is rarely based on ground reality," the commentary said. "Its patriotism notwithstanding, the military bases national policy on its own institutional needs and on self-serving illusions."

[From the Financial Times, Sept. 13, 1990]
BHUTTO FACES NEW CHARGES BEFORE SPECIAL TRIBUNALS

(By David Housego and Farhan Bokhari)

The Pakistan Government yesterday intensified its campaign against Ms. Benazir Bhutto, the former Prime Minister. It accused her of involvement in a widely publicised scandal during her 20-month administration.

It said it would prosecute her before a special tribunal in Lahore on allegations that she helped business interests close to her husband, Mr. Ali Assaf Zardari, in attempts to secure planning permission and land at below market rates for a proposed five-star hotel complex near Islamabad. The Lakeview Resort Hotel would have included an 18-hole golf course and a polo field.

A second charge involved the award of contracts for the sale of liquefied petroleum gas.

The fresh charges against Ms. Bhutto come at a time when the election campaign is moving into higher gear. Yesterday was the final day for candidates nominations. Ms. Bhutto is standing for constituencies in Sindh and the Frontier province while Mr.

Zardari is contesting a seat in Sindh, the family's home province.

The conservative Islamic Democratic Alliance (IJI), a coalition of Moslem and rightist parties, will be putting up a single candidate against Ms. Bhutto's Pakistan People's Party in most constituencies. But their agreement on a common list has come after much wrangling, and rivalry over the leadership has damaged their public image.

At one point Mr. Nawaz Sharif, the president of the alliance, sought the intervention of President Ghulam Ishaq Khan to smooth differences among them. The President, who has come under increasing personal attack from Ms. Bhutto for overthrowing her government, declined to intervene.

Indicative of the divisions within the conservative alliance, the Jamaat-i-Islam—one of the more extremist members—has criticized the government for bringing itself into ridicule for failing to bring solid proof against Ms. Bhutto.

The PPP is entering the election campaign in stronger shape than either the government or the party itself had expected two weeks ago.

A special court in the Punjab provincial capital Lahore dismissed the case against Mr. Jahangir Badar, Ms. Bhutto's former Petroleum and Natural Resources Minister, for lack of evidence. Reuter adds from Lahore. Mr. Badar's case involving an alleged unlawful refund to a company, is the first dismissed by one of the 11 special courts.

[From the (London) Times, Sept. 12, 1990]

CONFIDENT BHUTTO BUILDING ALLIANCES WITH OLD ENEMIES

(By Christopher Thomas)

Benazir Bhutto, Pakistan's former prime minister, is building important new alliances with some old political foes amid growing confidence within her Pakistan People's Party that she could return to power in the general election due in six weeks.

The big question is whether the army, which was behind her dismissal by the president on August 6, will stand by and let her return to office. There is a sense of urgency in the military-backed caretaker government to devise further ways to block her, since its hostile propaganda blitz has clearly failed to turn grassroots support against her. The government may be ready to ensure that she is banned from the election, despite unease about international reaction.

Miss Bhutto undoubtedly has lost support since the 1988 election because of perceived corruption within her government, but she remains the most important and charismatic political figure in the country. The army is concerned at her continuing determination to return to power. "The military will never let her come back," a political observer said. "If necessary, they will take over. But they would rather run the country from behind a civilian façade, as they are doing at the moment. They miscalculated the extent of public disillusionment towards Bhutto. People are blaming her ministers for everything that went wrong, not her."

Government officials in Islamabad say that preparations have been completed for two more charges to be laid against Miss Bhutto. Two sets of allegations have already been filed in Karachi relating to substantial government contracts awarded while she was prime minister. The two new cases, like the earlier ones, will be heard by a special court empowered to disqualify her from the election. Cases are also being prepared against six of her former ministers.

There is no indication that charges are being prepared against any of her opponents, despite the acting government's insistence that the "process of accountability", as the prosecutions are being called, is even-handed and not a political witch-hunt. All national and provincial politicians are supposedly covered by the process, although at the moment it is patently being used exclusively to unsettle the Pakistan People's Party. The party is nominating backup candidates in some constituencies because Miss Bhutto expects many first-choice candidates for the National Assembly to be barred from the October 24 election.

The special courts are conducted by a single judge, who can adjudicate in a defendant's absence. Politicians and newspapers who criticise the tribunals face a one-year prison sentence for contempt of court, which has stifled open debate on whether there is a political motive behind the courts, and whether they are likely to be impartial. The bodies have been activated in the past few weeks under a law which was promulgated during the Zia dictatorship. Miss Bhutto has said that if the process of accountability were truly neutral, it should be pursued through the ordinary courts.

The former prime minister, who filed her nomination papers yesterday, announced the formation of alliances with two small parties and a breakaway faction of the powerful Muslim League. The new group will be known as the People's Democratic Alliance.

The army has approached the Muslim League, the most powerful anti-Bhutto group, over the past few weeks to urge it to end its worsening internal disputes and to concentrate on keeping Miss Bhutto out of power. The main clash in the league is between Nawaz Sharif, the former chief minister of Punjab, and Mohammed Khan Junejo, a former prime minister, who both want to be prime minister.

Lahore escape: Miss Bhutto escaped an assassination attempt during a public meeting in the Punjab capital, Lahore, 12 days ago, police sources said yesterday.

Peshawar police said they arrested Sabir Mehmud, aged 22, an electrician, with two grenades on August 31. According to the police he confessed on Monday that he planned to kill Miss Bhutto because she had failed to enforce Islam. (AFP)

[From the New York Times, Sept. 6, 1990]

FOES SEEN AS DESPERATE TO STOP BHUTTO

(By Barbara Crossette)

LAHORE, PAKISTAN, September 5.—A month after the abrupt dismissal of Prime Minister Benazir Bhutto, politicians, diplomats and voters here are widely agreed that her foes in the transitional Government appear willing to go to any lengths to discredit her so that she cannot be re-elected.

Western embassies say that they have made it clear to the caretaker Government that fair and free elections must be held as scheduled seven weeks from now if Islamabad expects to retain foreign economic support. But as proceedings began here today in two special courts against three of Ms. Bhutto's former federal ministers, many Pakistanis are wondering whether the pressures stacked against Ms. Bhutto will succeed in forcing her out of contention.

Still in question is whether Prime Minister Ghulam Mustafa Jatoi will attempt to bar Ms. Bhutto from the poll through a special judicial process or will try to charge her with treason, based on an unsubstantiated reports that she had shared vital information with the national enemy, India.

A treason trial could be held in camera, for national security reasons. That would almost certainly provoke fears that a repeat of the kind of trial against her father, the late Zulfikar Ali Bhutto, may be in the offing.

WAIT FOR EVIDENCE AND CHARGES

Analysts in Islamabad and here in Lahore, the country's intellectual capital, say that those courses of action could be self-defeating.

"Will the ineptitude of the interim Government make Benazir Bhutto more popular?" a political analyst said.

The caretaker Government that replaced Ms. Bhutto has yet to produce the conclusive evidence of corruption and malfeasance that were cited as the reasons for the dismissal of her Government.

For two weeks, one official or another has been promising the imminent formal filing of charges against the former Prime Minister in one or both of the special tribunals drawn from the judiciary. The unexplained delays daily weaken the Government's credibility, though they heighten the possibility that the intent in raising the charges was not so much to prosecute as to intimidate the former Prime Minister into dropping out of political life.

BHUTTO DENIES REPORTS OF TALKS

Ms. Bhutto's Pakistan People's Party, now preoccupied with the difficult task of choosing candidates for national and provincial elections while attempting to hold the party together for the coming campaign, has failed to proceed with its promised court case challenging the dismissal.

The People's Party is also still discussing what approach to take to the tribunals now being put in place with jurisdiction over all members of the former national and provincial governments dismissed or dissolved in August, including those of Ms. Bhutto's opposition. The former Prime Minister says that she will not appear in such a court, but has not specifically announced that she would not field a defense.

Reports circulate that Ms. Bhutto may be negotiating a deal with President Ghulam Ishaq Khan or the military. Two versions, both denied by Ms. Bhutto, say that she will either withdraw from politics in return for immunity or send her husband, Asif Ali Zardari, into exile.

Mr. Zardari, who could face criminal charges in regular courts of law, since he was not a member of the Government, is widely believed to have amassed a fortune in unethical or criminal use of his relationship to the former Prime Minister. He has already been granted what South Asians call "anticipatory bail," paid in advance of an expected arrest.

Many Pakistanis say they believe that reports of any agreement are circulated in order to weaken Ms. Bhutto within her party. Those who know her say that it seems very unlikely that she would willingly back away from a political fight.

Pakistan is a largely open society, where the political situation is a subject of intense written and verbal debate. But it is also part of a region where politics can be fiercely personal.

[From the Far Eastern Economic Review, Sept. 6, 1990]

KASHMIR SIDESHOW

Kashmir has relinquished its recent position as the central issue in Pakistan's domestic politics, despite remaining the key to

Pakistan's present relations with India. Even recent artillery duels between the two countries' armies, and continuing turmoil in the Indian part of the divided state, are unlikely to drag the issue back to centre stage of Pakistan's politics while the country continues to try and deal with the repercussions of the dismissal of Benazir Bhutto's government.

Had the unusually heavy artillery exchange occurred before Bhutto's government was sacked in early August, it is doubtful Islamabad would have been able to offer as sanguine a response as its Defence Ministry did when it confirmed Indian Prime Minister V.P. Singh's statement to parliament in New Delhi about the fighting in the third week of August. Singh, blaming Pakistan, linked the shelling to the alleged arrest of two of the Kashmir underground's top leaders, the discovery of significant arms caches and as a diversionary effort to help infiltrators cross the "line of actual control"—which separates Indian and Pakistan-claimed Kashmir—before the snows set in during October.

Pakistan merely retorted by saying India's "unprovoked and indiscriminate" shelling of the Muzaffarabad-Kel road in the Neelum valley was an attempt by New Delhi to underline its claim that Pakistan was aiding turmoil in the Kashmir valley.

The two armies' military operations chiefs have since met, and as a result the artillery exchanges have diminished. But even when they were at their peak, the dismissal of Pakistan's elected government, Iraq's invasion of Kuwait—and Islamabad's decision to send troops to Saudi Arabia—served to divert public attention from Kashmir. In addition, significant developments within Azad-Kashmir (AK)—Pakistan's part of the divided state—further complicated Islamabad's attitude towards the volatile region.

Islamabad's unease over developments in AK stem from the defeat of the ruling Muslim Conference during elections held barely two months ago by a Pakistan People's Party (PPP) led coalition. A PPP cabinet, headed by new AK premier Mumtaz Rathore, has since taken over the state. The Muslim Conference is aligned to the Islamic Democratic Alliance Group, which is in opposition to the PPP and now dominates the interim government in Islamabad. In addition, Muslim Conference President Sardar Qayum, who remained president of AK irrespective of the election results, refused to recognize the new cabinet and it had to be sworn in by AK's chief justice.

Since a new AK president was due to be elected, the PPP cabinet ignored Qayum's snub. However, following the PPP government's dismissal on 6 August, Rathore has taken up the issue of AK-Pakistan relations and warned Islamabad against dismissing his cabinet or otherwise interfering in AK affairs. AK's own constitution is not subordinate to Pakistan's, and Rathore said he could not be removed either by the AK president or by Islamabad.

On 20 August, Rathore threatened to close all Pakistan banks operating in the region. He also said unless the interim government in Islamabad ended its interference in local affairs, AK might be forced to take control of Pakistan's radio station in Muzaffarabad, while adding "Kashmiris could reconsider the decision of accession to Pakistan."

Despite Rathore's strong defence of his party and administration, the PPP faces serious problems in AK. A major rift that followed the decision of PPP president Sardar

Ibrahim to split with the party over its decision to adopt Sultan Mahmood as its presidential candidate for AK can only deepen after Ibrahim and other PPP legislators aligned themselves with Qayum, the Muslim Conference candidate, who was re-elected for another five years on 27 August. Qayum's election means the PPP-dominated AK government now faces both an opposition president and equally hostile federal government in Islamabad, with de facto control over AK's finances and bureaucracy.

A CONSISTENT POLICY TOWARD GUATEMALA

Mr. CRANSTON. Mr. President, this past week, leaders from the Guatemalan National Revolutionary Unity [URNG] met with members of the Guatemalan private sector in Ottawa, Canada. The promising dialog which developed at these talks indicates that both sides share a willingness to undertake necessary efforts to obtain peace.

Defense Minister General Juan Leonel Bolanos Chavez remarked that these talks were held "to search for a common ground which would allow for a future discussion between the government and the rebels." He added that any consensus reached by the rebels and these civil sectors would be useful, in the event that URNG participation in the political arena is accepted.

Despite this movement toward internal reconciliation, political violence continues to haunt Guatemala, the site of one of the hemisphere's ugliest "dirty wars" over the past two decades. The overall human rights situation has worsened significantly during the past year, after a brief period of improvement.

In fact, the State Department's report on human rights practices for 1989 mentions, apparently for the first time, "credible reports of security forces personnel and political extremists engaging in extrajudicial killings, disappearances, and other serious abuses."

Further, the releases, by an appeals court, of six national police officers convicted of the 1987 kidnapping and murder of two university students marks the most recent indication of a deterioration of human rights in Guatemala. The 1988 ruling against these officers represented the only conviction to date of security forces implicated in political crimes.

This overruling is the subject of an August 1990 report by Americas Watch. The statement emphasizes that the case is a sign of the government's inability to bring security forces under the law. It also highlights the fact that no other cases against members of the military have ever resulted in convictions, despite the continued and well-documented involvement of the army and the police in blatant and brutal human rights abuses.

Amnesty International reports recent cases of human rights abuses against Guatemala's street children. The violations include harassment, threats, attacks, beatings, torture, disappearances, and extrajudicial executions. These abuses were reported to have been carried out by Guatemalan city police and by agents of private security firms which operate under the auspices of the national police and the Ministry of the Interior.

Although the national police fall under civilian authorities, in reality the Guatemalan military dominates the security forces. In November 1989 the Washington Office on Latin America [WOLA] released a report entitled "The Administration of Injustice: Military Accountability in Guatemala." This paper reveals the consolidation of military control over police forces in 1988-89.

The evident impunity for political crimes enjoyed by members of the security forces is alarming and casts a dark shadow on Guatemala's future. There are only 2 months remaining until the next Presidential elections. The new administration will undoubtedly face, as has the government of President Vinicio Cerezo, with mixed results, the ongoing reality of military power.

Despite the security forces' involvement in human rights abuses, joint military exercises continue between the United States and Guatemalan forces. United States National Guard units continue to participate in civic action campaigns alongside the Guatemalan military. The United States relies on the Guatemalan intelligence [G-2], notorious for human rights abuses, for antinarcotic operations.

If the United States wants to promote change in Guatemala, and is genuinely concerned about human rights abuses, then it must be consistent in its policy.

The appropriation mark for Guatemala in 1991 is \$2.88 million in non-lethal aid. This figure can and should send a clear message to the Guatemalan Government and armed forces. In addition, the United States must stop emitting contradictory signals, such as continuing joint exercises with the Guatemalan military. Finally, the United States must maintain a critical stance toward Guatemala, now and following elections this fall.

I ask unanimous consent for certain articles to be published in the RECORD.

There being no objection, the articles were ordered to be printed in the RECORD, as follows:

[From the New York Times, July 5, 1990]

U.S. PINS HOPES ON GUATEMALA ARMY

(By Lindsey Gruson)

GUATEMALA.—The United States, losing faith in the civilian Government, has turned to this country's military to insure stability

and combat growing drug trafficking, Western diplomats and Guatemalan officials say. "The U.S. is moving its chess pieces around to a more secure position," said a former member of President Vinicio Cerezo's Cabinet.

The growing dependence on the Guatemalan Army comes despite increasing evidence that it is responsible for some, if not most, of the human rights abuses that once again have come to plague this country.

That has led to strain, even direct conflict, between the two basic American policy goals—the effort to improve the armed forces' respect for human rights and the battle to stop drug traffickers. Guatemala has become a leading producer of opium poppies and, like much of Central America, a major transshipment point for Colombian cocaine.

CLOSE AMERICAN TIES

American diplomats declined to be quoted about any dissatisfaction with President Cerezo and the growing dependence on the 55,000-member Guatemalan Armed Forces. They emphasized that the United States remained committed to fighting drug trafficking, improving human rights and to civilian government.

Close American ties to the region are not new. In Guatemala in 1954, the United States, concerned by what it perceived to be a growth of Communism in Guatemala under President Jacobo Arbenz Guzman, helped build an opposition force led by Col. Carlos Castillo Armas that overthrew him.

Diplomats note that American anti-narcotics specialists have now built a close working relationship with Guatemalan Military Intelligence, G-2. But the agency is widely suspected of involvement in the killing last year of five University of San Carlos students and the disappearance of at least five others.

Apart from human rights concerns, there has also been evidence in recent months that the army and the military intelligence unit may have been infiltrated by drug traffickers.

REVERSAL OF U.S. POLICIES

"You can't possibly fight drug smuggling without the Army," said a European diplomat. "It's the only organization with the manpower and equipment to take the heat. But that risks its corruption."

The increasing American dependence on the Guatemalan military is a reversal of United States policies. All American military aid to Guatemala ceased in 1976 in response to the slaughter of civilians by the Armed Forces, who were fighting a stubborn, Marxist-led insurgency.

The first civilian President in almost two decades, Mr. Cerezo was repeatedly cited by Washington in the late 1980's as evidence of the Reagan Administration's success in the effort to foster democracy.

But relations soured. The Reagan Administration was bitterly disappointed and, in comments to reporters, was sharply critical of President Cerezo's adamant refusal to allow Guatemala to become a mainstay in the American-backed war against the Sandinista Government in Nicaragua.

Mr. Cerezo's independent diplomacy made him a key intermediary in regional politics and gave him leverage in Washington. But the electoral triumph of Violeta Barrios de Chamorro over the Sandinistas in February reduced his diplomatic clout.

A PRESIDENTIAL CAMPAIGN

American diplomats' private criticism soon turned into barely disguised disdain and, fi-

nally, into a series of highly visible public disputes. Most were focused on Mr. Cerezo's apparent unwillingness, or inability, to crack down on drug smuggling.

While publicly committed to free elections, American diplomats have stopped just short of an open campaign against the President's childhood friend, protégé and handpicked successor, Alfonso Cabrera Hidalgo. American officials note that he is the son of an impoverished cobbler who now lives in great luxury and uses the private helicopter of a suspected Guatemalan drug trafficker on his presidential campaign.

The officials all but accuse Mr. Cabrera of personal involvement in drug trafficking and have begun to hint that they think his activities involve other Government officials. The criticism erupted into a public dispute last summer when customs officers caught two men loading 55 pounds of cocaine onto a Miami-bound commercial jet owned by the Government airline. The two men turned out to be aides to Lieut. Col. Hugo Moran, the chief of the President's anti-corruption task-force, the Administrative Control Department.

In the following days, the commander of the arresting unit was attacked, an airport customs officer was killed and a baggage handler who witnessed the seizure was briefly kidnapped. Upon his release, he testified that he had been kidnapped by Colonel Moran, said Anna Maria Orozco, a judge supervising the case. But Colonel Moran denied all involvement.

U.S. DEMANDS INVESTIGATION

The United States demanded a thorough investigation. But the President responded by appointing Colonel Moran to a Washington post. That led the American Embassy to revoke his visa. Under pressure, the President agreed to dismiss the colonel and remand him to a military court. It dishonorably discharged him. The President then appointed Mr. Moran, who denies the drug charges, to head the country's largest port, Santo Tomás de Castilla.

In the diplomatic equivalent of shock treatment, Ambassador Thomas F. Stroock of the United States responded by publicly naming Mr. Moran as a suspected drug dealer. But the open break between the United States and the civilian government came after the kidnapping and killing in January of Hector Ognell Colindres, a leftist leader from El Salvador, and a friend. American officials said there was enough evidence to implicate Guatemalan officials. But President Cerezo refused to take action.

In a February speech to the Guatemalan Rotary Club, the Ambassador was sharply critical of the Government's human rights record. The President responded by accusing him of meddling in the country's internal affairs and suggested he confer with superiors. That led the State Department to recall Ambassador Stroock briefly.

Although American officials say they have made improved human rights conditions a cornerstone of their policy here, American anti-narcotics officers continue to work extremely closely with Guatemalan military intelligence. The lead agency in the drug war, it is also linked to human rights abuses.

[From the Los Angeles Times, May 7, 1990]

UNITED STATES IS TAKING A NEW TACK IN GUATEMALA

(By Kenneth Freed)

GUATEMALA CITY.—The United States, said to be disillusioned because of persistent cor-

ruption in the government of President Vinicio Cerezo Arevalo, is reportedly turning to Guatemala's military to promote economic and political stability in this country.

According to diplomatic and government sources, Washington has chosen this course even though the military is blamed for human rights abuses and is believed to be involved in drug trafficking.

The goal, a U.S. official said, is to "strengthen other organs of government" to offset corruption in the Cerezo administration.

Earlier this spring, \$2 million in U.S. aid intended for fighting a measles epidemic disappeared, U.S. officials said. Cerezo defended the government department that controlled the money and criticized the United States when it suspended the aid program.

It was this incident, together with Cerezo's failure in his state-of-the-nation address to acknowledge Washington's \$130-million economic aid program for Guatemala, that has turned the Americans to the military.

"There is no doubt that the Americans are so fed up with Cerezo and so concerned about [Cerezo's] colleague and possible successor Alfonso Cabrera that they are turning to the military as the only institution capable of keeping this place from becoming another Panama," said a European diplomat with close contacts to both the United States and the Guatemala military.

He was referring to Panama's ousted strongman, Gen. Manuel A. Noriega, who has been charged with taking millions in bribes to abet the drug trade in his country. It is an apt analogy, because Cerezo is suspected of protecting drug-trafficking friends and associates, and Cabrera, who is running for president in next November's elections, is said by U.S. officials to be a major narcotics figure.

The United States is also concerned about the opposition parties. "The U.S. Embassy is backing Jorge Carpio Nicolle, the candidate of the Union of the National Center, but embassy officials say he has the potential to be even more corrupt than Cerezo and his Christian Democrats.

As in Panama, where Noriega was once a paid CIA informant, sources here say that U.S. agencies are making offices, particularly in army intelligence, known as the G-2. The payments are reportedly in exchange for information on regional as well as local matters, notably the activities of Nicaragua's Sandinistas and the leftist guerrillas operating in neighboring El Salvador.

G-2 officers are also being paid, it is said, for their cooperation in combatting drug traffickers' use of Guatemala as a transshipment point for cocaine en route to the United States, and in discouraging the growing of opium poppies in this country.

No one will say for the record how much money is involved, or name the officers receiving the payments. But the payments, reportedly in the thousands of dollars, are said to go to relatively high-ranking officers.

Drug experts deny that the money comes from the U.S. Drug Enforcement Administration. Other sources point to the CIA as the source of the money. They say the CIA has challenged the DEA for control of the war on drugs here.

"What happened is that the CIA first opposed the use of G-2 in the drug war for fear that they would be corrupted, and because the CIA would lose control," one official said, "Now the agency is trying to take over the drug war and is using the G-2 as leverage."

Whatever the source of the money and the motive for paying it out, the United States appears to be increasingly willing to overlook otherwise objectionable behavior by the military, especially the G-2, in the field of human rights.

One drug expert said he is convinced that the G-2 unit that has provided cooperation "is clean as a whistle."

"Others may be dirty," he said, "but the small elite unit that works with the United States is absolutely clean."

The question of G-2's role in alleged human rights abuses is never brought up by U.S. drug experts, he added, because the military's role is so crucial in the drug war.

The DEA "couldn't have done 5% [of what it has accomplished here] without G-2's help," he said, adding that "as long as they keep doing good work, you don't ask" about involvement in the killings and disappearances so often attributed to them.

The man the United States looks to for maintaining Guatemala's support of its anti-drug campaign is Gen. Hector Alejandro Gromajo, the armed forces chief of staff and minister of defense. Gromajo was a senior commander in the early 1980s, when the Guatemalan military was blamed for the deaths of tens of thousands of people, largely civilians, in a campaign against leftist guerrillas and their suspected supporters. But he is seen as a moderate by the U.S. Embassy.

With Cerezo a weak civilian president, Gromajo has defeated at least two officer-led coup attempts against the government.

"Gromajo, even though he really runs the country through the military, has become the Americans' strongest hope for maintaining a civilian government," a European diplomat said. "At the same time, he is heavily indebted to the Americans for their support, and you can read that any way you want."

Washington's tolerance of Gromajo, or its need for him, evidently outweighs its repugnance at Latin America's highest level of human rights violations by government security forces or their allies. So-called death squads are blamed for the killings or disappearances of more than 50 people a month.

"I don't think Gromajo is promoting all these killings," a Western diplomat said, "but whenever he senses that the left is trying to organize, he permits, if not orders, hard action against them. He certainly doesn't root out any offenders."

Since death squads became a military tool in fighting leftist rebels in the 1960s, only one officer of the armed services has been prosecuted for human rights violations.

When the State Department recently attacked Guatemala's human rights record and recalled Ambassador Thomas Stroock to protest the lack of progress in solving several prominent cases, the focus of the criticism was not on the military but on the civilian administration and Cerezo himself.

If the Americans are turning their back on human rights violations by the military as the price for cooperation in fighting drugs and maintaining an elected government, the arrangement does not always seem to be worth the price.

Gromajo said in a recent interview that he is "committed to a peaceful transfer of power to an elected government" next year, but he acknowledged that many other officers would try to overthrow a Cabrera-led government.

In any case, Gromajo will leave office in June, and he has said he intends to attend Harvard University's Kennedy School of Government in the fall.

"The general will not have any troops at his command," a Western diplomat said. "He won't even be in the country" for the elections or any attempted coup that might follow.

Another diplomat said that if Cabrera wins "there will be a coup the day he takes office; he won't last a day."

The objection to Cabrera by military officers is on two levels.

First, it was not long ago that the army outlawed his Christian Democratic Party and considered him to be a "subversive." Second, he has allied himself with some officers outside the mainstream of the armed forces—largely in connection with the drug business, say some sources—and he has angered powerful army leaders.

The U.S. Embassy has made no secret of its effort to discredit Cabrera and has undertaken a campaign to spread word of his suspected involvement with drugs.

There are strong indications that some powerful military figures are also tainted, by the drug trade, including some in G-2.

Lt. Fernando Minera, who was arrested at the instigation of U.S. drug experts for trying to smuggle cocaine into the United States, charged that G-2 officers were engaged in the same activity. And he said the smuggling ring included the immigration service, which is controlled by the military.

A U.S. drug expert acknowledged that "90% of what Minera says is true" regarding the smuggling, but that he is trying to shift the blame from the immigration service to G-2.

Other officials concede that some military personnel, including some in G-2, have been corrupted by the enormous amounts of money involved in drugs, but insist that the armed forces are largely clean.

Besides, they say, it is all relative, what is far more worrisome is the corruption by the Cerezo administration.

SYRIA AND INTERNATIONAL LAW

Mr. MOYNIHAN. Mr. President, without a commitment to international law, American foreign policy is without compass or rudder. It swings from one extreme to another based on short-term expedience. We saw that in the gulf war between Iraq and Iran. Because Iran was seen to be the greater evil, the United States clearly tilted toward Iraq. In so doing we ignored Iraq's violations of solemn treaties, including the United Nations Charter and the 1925 Geneva protocol concerning the use of poison gas. Just 7 days before the invasion of Kuwait the administration was still opposing a bill to impose sanctions on Iraq.

Now the Secretary of State is in Syria to discuss the crisis in the Persian Gulf. Will we repeat our error or will principles of law guide our actions? To date, the administration and Secretary Baker have handled this crisis superbly. They have stayed within the framework of law set down in the charter of the United Nations. Syria has supported international action against Iraq and for this it is to be congratulated. There have been reports that Syria has played a helpful role in securing the release of Ameri-

cans held in Lebanon. For this, surely it deserves thanks and encouragement. After years of the most bitter opposition to Egypt's efforts to bring peace to the region, Syria has now supported Egypt's return to the Arab League. To visit Damascus is certainly prudent. We should conduct a dialog with Syria.

Does this mean that we should wipe the slate clean and ignore Syria's previous lawless behavior? That was our policy towards Iraq. In the fog of the cold war "the enemy of our enemy" was our friend. Iraq's crimes were simply overlooked. If we invoke international law in confronting Saddam Hussein but ignore it entirely in dealing with Hafez Assad our commitment to the principles of law is surely open to question.

Syria has much to account for. The fate of the city of Hama has become a metaphor for a despot's suppression of his own people no less than Saddam Hussein's use of poison gas against the Kurds. There is Syria's unrelenting opposition to all efforts to achieve peace with the state of Israel. And there is Syria's support for terrorism, including, according to the President's own report on terrorist groups, sponsoring Ahmad Jibril's terrorist organization.

Terrorism takes many forms. The Americans being held hostage in Iraq and Kuwait are its victims, as are the hostages of many nations being held in Lebanon. Their plight is tragic indeed. One week ago Terry Anderson spent his 2,000th day in captivity. To contemplate that fact is to be reminded of how great a crime is terrorism.

Others have suffered violent deaths at the hands of terrorists. The U.S. Marines stationed in Lebanon. Leon Klinghoffer aboard the *Achille Lauro*. And, of course, the victims of the bombing of Pan Am flight 103 for which Ahmad Jibril is widely considered responsible. We cannot simply forget about this grave crime. Nearly 9 months ago the mother of one of the victims of Pan Am 103 wrote a haunting article about her lost daughter. It appeared on the first anniversary of the bombing. Although written for that specific occasion, the article is timeless in its expression of love for and grief over the loss of a very dear departed child. I ask unanimous consent that the article, which was written by Mrs. Susan Cohen and which appeared in the Times on December 21, 1989, be reprinted in the RECORD. I commend it to my colleagues and I urge the administration to remember the many victims we would be forgetting if we follow the path of expedience and ignore the strictures of law.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

[From the New York Times, Dec. 21, 1989]

MY ONLY CHILD, DEAD A YEAR

(By Susan Cohen)

PORT JERVIS, NY.—Today is the first anniversary of the worst day of my life. While America celebrates the season with holiday brightness, I am in black despair. On Dec. 21, 1988, my daughter and only child, Theodora (we called her Theo), was on her way home from London, where she had spent a semester studying drama. Theo never reached home. She was murdered by Palestinian terrorists: 269 people died with her. Theo was on Pan Am Flight 103, which exploded over Lockerbie, Scotland, one year ago today.

What was she like, my Theo? On the bad days, and they are very frequent, I can't look at her photos because of the pain. But on better days, when it hurts a little less, I go through the albums, starting at the beginning. Theo as a beautiful baby. Theo in kindergarten, the shortest kid in her class; that would never change.

When she went off to Syracuse University years later, to study drama and voice, she was only five feet tall, still complaining: "Is this it? Won't I get any taller?"

I turn the pages of the album. There's Theo horseback riding at summer camp. There's Theo at Disney World. Theo in high school plays and musicals. Her father and I gave her a dozen red roses when she won the lead in "The Diary of Anne Frank." Next I look at the pictures of Theo on stage at Syracuse, smiling and confident. We gave her a dozen red roses the summer of '88 when she played Luisa in "The Fantasticks," in summer stock. It was her first lead in professional theater. A start.

Spunk and a sense of humor, that was my daughter. Long dark hair, sparkling dark eyes, a wide smile, that was my daughter. Witty, flamboyant, quick-tempered, tough to be around at times, that was my daughter. She was full of fire and adventure and joy. She was vibrant, she sang so well, she showed so much promise.

The last time I heard from Theo was Dec. 19, 1988. She said, "I miss you and I love you." The last time I was happy was the morning of Dec. 21. I couldn't wait to see her.

In a few hours I'd leave for Kennedy Airport, her plane would land, she'd arrive bursting with news about the 50 plays she'd seen in London, the people she'd met there, the places she'd been, her latest boyfriend, what she'd be doing in theater when she got back to Syracuse.

Then came the panicky phone call from a friend. I turned on the television. There was the wreckage of Pan Am 103 in Lockerbie. Theo was dead. In that one instant life broke; my husband helped me get into the car and we drove to the airport. At Kennedy, all I did was scream.

I haven't recovered. I never will. I cry much of the time. I who never before took anything stronger than an aspirin now take anti-depressants and anti-anxiety drugs every day, shored up by therapists. The loss of a loved child is the worst loss in the world. Theo was my future, and now I have no future. Theo's youth kept me young. Now I'm old.

I've got a lot of questions. Why hasn't our Government told the American people what every credible reporter knows—that high-ranking Iranian officials hired Ahmed Jibril, head of the Popular Front for the Liberation of Palestine, General Command, to place a bomb on an American plane in retaliation for the downing of an Iranian air-

liner by the U.S. warship Vincennes during the summer of 1988?

Why were the Reagan and Bush Administrations so callous to the victims' families, first ignoring us, then lying to us? Why were we treated so cruelly? Family members were telephoned and told their "parcel" was waiting for them at the airport. Our particular "parcel" was a coffin dropped by a forklift, containing the body of my precious Theo.

Is the Administration so eager to make a deal with Iran and Syria that it would rather forget, and have others forget, the most massive terrorist attack against American civilians in history?

Why does our government refrain from pressuring Iran, which financed the bombing, and Syria, which gives sanctuary to Jibril, into assuming their obligations in the family of nations? Without such pressure, does anyone really believe Jibril will ever be caught and tried?

Why was Pan Am's security so incredibly lax? After all, Pan Am had received advance warnings about a possible terrorist attack.

Theo deserved to live. So did the other Americans on Pan Am 103. And the passengers from other countries. And the people who were killed on the ground in Lockerbie.

For months, our Government said no public warnings about possible terrorist attacks could be issued. Yet this month it issued such a warning. If there had been such a warning in December 1988, there might have been no bombing. Certainly Theo would not have been on the plane. Was my daughter's life, and the lives of all the others on Pan Am 103, of no value to our Government?

REGARDING THE DEATH OF DR. ROBERT N. NOYCE

MR. GRASSLEY. Mr. President, I rise today to pay my respects to a son of Iowa, Dr. Robert Noyce. This past June, the United States lost one of its greatest inventors and the father of the computer age. Dr. Noyce was a physicist and engineer whose invention, the semiconductor chip, launched America into the information age and revolutionized the American way of living.

For the last 30 years, Robert Noyce dedicated his life and genius to creating the American computer industry and keeping it competitive with Japan. He was the cofounder of two of the most influential companies in the semiconductor industry and was the president and chief executive officer of Sematech.

He was born in Denmark, IA, during the Depression, the third of four sons of a Congregationalist clergyman. As he grew up in Grinnell, IA, a small midwestern town, Robert Noyce learned the values that he admitted became "the foundation for almost everything I've done since. They were: work hard, save your money, get an education, try to get ahead."

It was there, in Grinnell, that his entrepreneurial spirit was also born. As a young boy, Noyce offered neighbors annual contracts for snow shoveling. While he prayed for little snow, he realized that if it did snow, he had an

obligation he could not duck thereby learning the rewards of taking a risk can often be greater than the cost.

He attended Grinnell College where he earned his undergraduate degree in physics and mathematics. At Grinnell, he studied under Grant O. Gale, who, in 1948, was given one of the first transistors by one of its inventors, John Bardeen. Dr. Noyce's curiosity was piqued as Professor Gale taught one of the first courses in solid state physics using the principles of the transistor. Consequently, Dr. Noyce continued his education and later received a doctorate in physics from the Massachusetts Institute of Technology.

After receiving his doctorate in 1953, he joined the Philco Corp. where he performed research on transistors. Three years later, Noyce was invited to join an elite team of engineers and scientists working under William Shockley, one of the inventors of the transistor. When the offer came, Noyce did not hesitate to resign his position at Philco and travel to California. Little did he know that his move to California would herald the birth of Silicon Valley, the heart of the American semiconductor industry.

After 1 year of working with Shockley, Noyce and seven other young engineers known in Silicon Valley lore as the "Traitorous Eight," left Shockley Semiconductor Laboratories to form Fairchild Semiconductor, the "mother company" whose early employees went on to found the semiconductor giants of Silicon Valley. As a young man in his thirties, working at Fairchild Semiconductor, Noyce first conceived of the concept of building multiple transistors on a single chip of silicon.

Transistors, often described as semiconductors because they are made of materials that are part way between conductors of electricity and insulators, proved far better than the old vacuum tube, which gobbled up electricity and was fragile and short lived. The transistor, made of solid materials, could better perform the tube's functions, and without the drawbacks. Although, in theory, the potential of the transistor was limited by the difficulty of connecting one of the devices to its neighbors to form electric circuits.

The concept of an integrated circuit, Noyce admitted, came as a result of his laziness. He was tired of connecting all the wires on the cumbersome circuit boards, so he came up with the idea of forming entire circuits of a single block of solid material. First called monolithic circuits, they are now known as integrated circuits or semiconductor chips.

Obtaining a patent for the integrated chip, though, took far longer than its actual creation. About the same time, Jack Kilby, of Texas Instruments came up with a similar, though

less refined model of the integrated circuit. In 1959, after a 10-year patent battle between Fairchild Industries and Texas Instruments, Noyce was awarded the patent for the device and Noyce and Kilby became known as coinventors.

In 1968, Robert Noyce and Gordon Moore cofounded Intel Corp. which grew to be the Nation's third largest maker of semiconductor chips. As the chips reduced in size, weight and cost, though, Dr. Noyce's work did not stop. He helped develop a process of building computer memories on the chips.

But his contributions to the American lifestyle extended beyond his technological inventions. As the head of Intel he introduced a revolutionary management concept of egalitarianism, a hallmark of the semiconductor industry. At Intel, power was based on knowledge, not positions; there were no special parking places, no limousines, and no offices, only open cubicles.

In 1988, when Sematech, a research consortium of 14 U.S. chip makers and the Federal Government, was created Dr. Noyce was presented with the chief executive position. Although he was initially reluctant, he finally accepted the position because he knew as well as his colleagues that he was the only person qualified.

As Sematech chief, Noyce pursued the goal of developing world competitive manufacturing capabilities. "We are fostering cooperation to try to raise the capability of American industry," he said in explaining Sematech's purpose. He called for Government intervention to halt foreign acquisitions of key U.S. technologies and semiconductor production equipment and materials manufacturers as well as a stronger Government role in tax, trade, and industrial policy to benefit the semiconductor industry.

But Dr. Noyce's role at Sematech placed him in the center of a political debate over the proper role of the Federal Government in supporting U.S. industry. Sematech receives half of its \$200 million annual budget from the Defense Department while the remainder is paid by the 14 member companies of the consortium. However, Noyce stated, "Sematech is unique, but the idea of getting Government, industry, and academia together for a national purpose is not at all new."

In recognition of his many accomplishments, Robert Noyce was awarded the National Medal of Technology by President Reagan in 1987 and the National Medal of Science from President Carter in 1980. He was inducted into the National Inventors Hall of Fame in 1983 and elected to the U.S. Business Hall of Fame in 1989. Last February, he and Jack Kilby received the Charles Stark Draper award from President Bush.

However, despite his influence and achievements, talents and abilities and huge financial success Robert Noyce lived in relative obscurity. Noyce never sought the fame he earned but his laser-sharp mind and gracious manner caused people to flock around him. His friends and colleagues say he did not have to brag; his intellect and gentlemanly manner drew respect.

Although Fairchild made Noyce a millionaire by increasing his original \$500 investment fifty fold, he regarded his money as merely a "way to keep score" and a way to support causes that he cared about. Among the causes he supported, education was predominant. He sat on the board of regents of the University of California, he was an advisor to the Massachusetts Institute of Technology and he was a patron of his alma mater, Grinnell College.

Although Noyce may not be a household name, very few offices, factories or households have not been directly effected by his creative genius. Some have said his creation was the key invention of the 20th century because it impacts everything, from education to products and the way we deal with each other.

His invention made toasters talk, maximized the capabilities of calculators and coffeepots, enriched teenage geniuses and allowed us to use personal computers to type speeches like this one. In the end, Robert Noyce, recreated the world. Not only did he make our life easier, but he developed an industry which accounts for 2.5 million jobs in the United States alone.

Today, I offer this tribute to a great leader, a creative inventor, and a humble man, a man upon whom the future will bestow its greatest claim. I only hope, Mr. President, that Robert Noyce's life will stand as an example to us all of the entrepreneurial spirit and commitment to America that made this Nation great.

ANNUAL REPORT OF THE TOURISM POLICY COUNCIL—MESSAGE FROM THE PRESIDENT—PM 144

The PRESIDING OFFICER laid before the Senate the following message from the President of the United States, together with an accompanying report; which was referred to the Committee on Commerce, Science, and Transportation:

To the Congress of the United States:

In accordance with section 302 of the International Travel Act of 1961, as amended (22 U.S.C. 2124a), I transmit herewith the annual report of the Tourism Policy Council, which covers fiscal year 1989.

GEORGE BUSH.
THE WHITE HOUSE, September 14, 1990.

ENTERPRISE FOR THE AMERICAS INITIATIVE ACT—MESSAGE FROM THE PRESIDENT—PM 145

The PRESIDING OFFICER laid before the Senate the following message from the President of the United States, together with accompanying papers, which was referred to the Committee on Foreign Relations:

To the Congress of the United States:

I am pleased to transmit a legislative proposal entitled the "Enterprise for the Americas Initiative Act of 1990." This proposal sets forward key measures to implement the investment, debt, and environmental components of my "Enterprise for the Americas" initiative announced on June 27, 1990. It will build more constructive relations in the Western Hemisphere and a more hopeful future.

The last 14 months have been a remarkable time for the world. Yet the rapid changes at which we have marveled in Eastern Europe are not unique. Freedom has made great gains in our hemisphere, as a resurgence of democratic rule has swept through the Americas.

Parallel to this political shift has come a realignment of policies in the economic sphere. As the people of Latin America and the Caribbean search for prosperity following a difficult decade of painful economic adjustment, their governments are focusing on economic growth and the free market policies needed to nourish it.

For the benefit of all people of this hemisphere, the United States needs to reach out to support the efforts of these countries as each undertakes its own approach to economic reform. My new Enterprise for the Americas initiative aims to build a broad-based partnership for the 1990's that will strengthen our economic ties and encourage economic growth and development throughout the western Hemisphere.

This initiative rests on three pillars—actions on trade, investment, and debt—through which we can reach out to our neighbors and support economic reform and sustained growth. First, we want to expand trade both by cooperating closely with the nations of Latin America and the Caribbean as the Uruguay Round comes to a close and by entering into free trade agreements with the ultimate goal of a hemisphere-wide free trade system. Second, we want to encourage investment and help countries compete for capital by reforming broad economic policies and specific regulatory systems. Third, we want to build on our successful efforts to ease debt burdens and to increase the incentives for countries to reform their economies by offering additional measures in the debt area. As part of our efforts on

debt, we want to support the environment by promoting sustainable natural resource management as a key element of building a strong future for the hemisphere.

The proposal I am transmitting to the Congress today focuses on the investment, debt, and environment components of the Enterprise for the Americas initiative.

The proposal provides for contributions by the United States to a multilateral investment fund to be established by the Inter-American Development Bank (IDB) to foster a climate favorable to investment in Latin American and Caribbean countries. This Enterprise for the Americas Investment Fund will provide additional support for reforms undertaken as part of the new IDB investment sector lending program. It will do so by advancing specific, market-oriented investment policy initiatives and reform and financing technical assistance.

The proposal establishes the Enterprise for the Americas Facility to support the objectives of the initiative through administration of debt reduction operations for those nations that meet the investment reform and other policy conditions. Latin American and Caribbean countries can qualify for benefits under the Facility if they:

- Have in effect International Monetary Fund/World Bank reform programs;
- Have in place major investment reforms in conjunction with an IDB loan or are otherwise implementing an open investment regime; and
- For countries that owe a substantial part of their debt to commercial banks, have negotiated a satisfactory financing program with commercial banks, including debt and debt service reduction if appropriate.

The proposal authorizes the reduction of concessional obligations extended under the Foreign Assistance Act of 1961 and credits extended pursuant to title I of the Agricultural Trade Development and Assistance Act of 1954. The agency whose loans or credits are affected will exchange—at the direction of the Facility—new obligations for obligations outstanding as of January 1, 1990. Principal on the new obligation will be paid in U.S. dollars. Interest will be at a concessional rate and paid in local currency if an eligible country has entered into a framework agreement establishing an Environmental Fund; otherwise, interest will be paid in U.S. dollars.

The Environmental Fund into which local currency interest payments are deposited will be owned by the debtor country but be subject to joint programming by the debtor country and the United States Government. An environmental framework agreement will establish joint programming re-

quirements and will also specify the use of the Environmental Fund to support environmental projects and programs. It is envisioned that local committees in each eligible country will include strong representation of local private environmental groups, as well as the United States Government and the host government, and will initiate overall country plans and carry out a fundamental review of proposed projects. In setting up this broad framework and establishing relationships in each eligible country, we will consult closely with nongovernmental organizations with expertise in natural resource management and conservation.

The proposal also authorizes the sale, reduction, or cancellation of loans made to eligible countries under the Export-Import Bank Act of 1945, as amended, and assets acquired under export credit guarantee programs authorized pursuant to the Commodity Credit Corporation Charter Act or section 4(b) of the Food for Peace Act of 1966. These sales, reductions, or cancellations will be undertaken only when purchasers confirm that they will be used to carry out debt-for-equity or debt-for-nature swaps in eligible countries.

We believe that these investment, debt, and environment measures will provide significant support to the efforts of Latin America and the Caribbean to build strong economies.

The United States has not gone untouched by the economic crisis faced by Latin America and the Caribbean over the last decade. As countries in the region cut imports, postponed investment, and struggled to service their foreign debt, we too were affected. We lost trade, markets, and opportunities.

Latin American and Caribbean leaders have made a great deal of progress in coping with the crisis. A new generation of democratically elected leaders is turning the tide away from economic decline. Enactment of the Enterprise for the Americas Initiative Act of 1990 will permit the United States to support the efforts of these leaders, increasing the prospects for economic growth and prosperity throughout the hemisphere.

GEORGE BUSH.

THE WHITE HOUSE, September 14, 1990.

MESSAGES FROM THE HOUSE

At 1:58 p.m., a message from the House of Representatives, delivered by Ms. Goetz, one of its reading clerks, announced that the House agrees to the amendment of the Senate to the bill (H.R. 3265) to amend the Communications Act of 1934 to provide authorization of appropriations for the Federal Communications Commission, and for other purposes.

The message also announced that the House has passed the following joint resolution, in which it requests the concurrence of the Senate:

H.J. Res. 568. Joint resolution designating the week beginning September 16, 1990, as "Emergency Medical Services Week."

ENROLLED BILL SIGNED

The message further announced that the Speaker has signed the following enrolled bill:

S. 2088. An act to amend the Energy Policy and Conservation Act to extend the authority for titles I and II, and for other purposes.

The enrolled bill was subsequently signed by the Acting President pro tempore [Mr. Dixon].

MEASURES HELD AT THE DESK

The following bill was ordered to be held at the desk until the close of business on September 17, 1990:

H.R. 5400. An act to amend the Federal Election Campaign Act of 1971 and certain related laws to clarify such provisions with respect to Federal elections, to reduce costs in House of Representatives elections, and for other purposes.

ENROLLED BILLS SIGNED

The ACTING PRESIDENT pro tempore (Mr. Dixon) announced that on today, September 14, 1990, he had signed the following enrolled bills which had previously been signed by the Speaker of the House:

H.R. 7. An act to amend the Carl D. Perkins Vocational Education Act to improve the provision of services under such Act and to extend the authorities contained in such Act through the fiscal year 1995, and for other purposes; and

H.R. 94. An act to amend the Federal Fire Prevention and Control Act of 1974 to allow for the development and issuance of guidelines concerning the use and installation of automatic sprinkler systems and smoke detectors in places of public accommodation affecting commerce, and for other purposes.

ENROLLED BILL PRESENTED

The Secretary of the Senate reported that on today, September 14, 1990, he had presented to the President of the United States the following enrolled bill:

S. 2088. An act to extend titles I and II of the Energy Policy and Conservation Act, and for other purposes.

EXECUTIVE AND OTHER COMMUNICATIONS

The following communications were laid before the Senate, together with accompanying papers, reports, and documents, which were referred as indicated:

EC-3561. A communication from the Director of the Office of Management and Budget, Executive Office of the President, transmitting, pursuant to law, a cumulative report on budget rescissions and deferrals

dated September 1, 1990; pursuant to the order of January 30, 1975, as modified on April 11, 1986, referred jointly to the Committee on Appropriations and the Committee on the Budget.

EC-3562. A communication from the Comptroller of the Department of Defense, transmitting, pursuant to law, notice that the Secretary of Defense has invoked authority to authorize the Military Department to incur obligations in excess of available appropriations for the costs of any additional members of the armed forces on active duty which have been increased beyond the number for which funds were provided in appropriations for the effective conduct of military operations in and around the Arabian Peninsula; to the Committee on Appropriations.

EC-3563. A communication from the Under Secretary of Defense (Acquisition), transmitting, pursuant to law, a selected acquisition report as of June 30, 1990, for the Strategic Defense System, Phase I; to the Committee on Armed Services.

EC-3564. A communication from the Director of the Defense Security Assistance Agency, transmitting, pursuant to law, a report on the Department of the Navy's letter of offer to Korea for defense articles estimated to cost in excess of \$50 million; to the Committee on Armed Services.

EC-3565. A communication from the Director of the Defense Security Assistance Agency, transmitting, pursuant to law, a report on the Department of the Navy's proposed letter of offer to Korea for defense articles estimated to cost in excess of \$50 million; to the Committee on Armed Services.

EC-3566. A communication from the Director of the Defense Security Assistance Agency, transmitting, pursuant to law, a report on the Department of the Navy's proposed letter of offer to Thailand for defense articles estimated to cost in excess of \$50 million; to the Committee on Armed Services.

EC-3567. A communication from the Director of the Defense Security Assistance Agency, transmitting, pursuant to law, a report on the Department of the Air Force's proposed letter of offer to Korea for defense articles estimated to cost in excess of \$50 million; to the Committee on Armed Services.

EC-3568. A communication from the Director of the Defense Security Assistance Agency, transmitting, pursuant to law, a report on the Department of the Army's proposed letter of offer to the Philippines for defense articles estimated to cost in excess of \$50 million; to the Committee on Armed Services.

EC-3569. A communication from the Secretary of the Navy, transmitting, pursuant to law, notice that the Department of the Navy intends to transfer the obsolete destroyer *Turner Joy* (DD 951) to the Bremerton Historic Ships Association, Bremerton, Washington; to the Committee on Armed Services.

EC-3570. A communication from the Assistant Secretary of Defense (Production and Logistics), transmitting, pursuant to law, the strategic and critical materials report for the period April-September 1989; to the Committee on Armed Services.

EC-3571. A communication from the Chairman of the Commission on Alternative Utilization of Military Facilities, transmitting, pursuant to law, the second report of the Commission; to the Committee on Armed Services.

EC-3572. A communication from the Comptroller General of the United States, transmitting, pursuant to law, a report entitled "Navy Ship Defense: Concerns About the Strategy for Procuring the Rolling Airframe Missile"; to the Committee on Armed Services.

EC-3573. A communication from the Director of the Office of Dependent Schools, Department of Defense, transmitting, pursuant to law, the annual test report for school year 1989-1990 for the overseas dependents' schools administered by the Department of Defense; to the Committee on Armed Services.

EC-3574. A communication from the President and Chairman of the Export-Import Bank of the United States, transmitting, pursuant to law, the annual report on the operations of the Export-Import Bank for fiscal year 1989; to the Committee on Banking, Housing, and Urban Affairs.

EC-3575. A communication from the Comptroller General of the United States, transmitting, pursuant to law, a report entitled "Bank Insurance Fund: Additional Reserves and Reforms Needed to Strengthen the Fund"; to the Committee on Banking, Housing, and Urban Affairs.

EC-3576. A communication from the Administrator of General Services, transmitting, pursuant to law, the twelfth quarterly report on Federal actions taken to assist the homeless; to the Committee on Banking, Housing, and Urban Affairs.

EC-3577. A communication from the Deputy Assistant Attorney General (Legislative Affairs), transmitting, pursuant to law, a report on Department of Justice enforcement activities under the Equal Credit Opportunity Act; to the Committee on Banking, Housing, and Urban Development.

EC-3578. A communication from the Chairman of the Consumer Product Safety Commission, transmitting, pursuant to law, the fiscal year budget request of the Commission; to the Committee on Commerce, Science, and Transportation.

EC-3579. A communication from the Chairman of the National Transportation Safety Board, transmitting, pursuant to law, a copy of the Board's letter to the Office of Management and Budget regarding the proposed fiscal year 1991 sequester; to the Committee on Commerce, Science, and Transportation.

EC-3580. A communication from the Acting Assistant Administrator of the National Aeronautics and Space Administration, transmitting, pursuant to law, a report on the decision to postpone the planned reprogramming of funds for design and construction at a NASA facility; to the Committee on Commerce, Science, and Transportation.

EC-3581. A communication from the Secretary of Energy, transmitting, pursuant to law, a report on a project entitled "Evaluation of Gas Reburning and Low NOx Burners on a Wall-Fired Boiler"; to the Committee on Energy and Natural Resources.

EC-3582. A communication from the Secretary of Energy, transmitting, pursuant to law, a report on a project entitled "Confined Zone Dispersion Flue Gas Desulfurization Demonstration"; to the Committee on Energy and Natural Resources.

EC-3583. A communication from the Secretary of the Interior, transmitting, pursuant to law, the annual report on the Oil and Gas Leasing Program for Non-North Slope Federal Lands in Alaska for fiscal year 1989; to the Committee on Energy and Natural Resources.

EC-3584. A communication from the Secretary of Energy, transmitting, pursuant to law, a report on procedures for overseeing the expenditure by States and Territories of Stripper Well and Exxon funds and the status of pending enforcement actions initiated during the second quarter of fiscal year 1990 and previous quarters with regard to the expenditure of petroleum violation escrow funds; to the Committee on Energy and Natural Resources.

EC-3585. A communication from the Secretary of Energy, transmitting, pursuant to law, a report entitled "Confronting Climate Change: Strategies for Energy Research and Development"; to the Committee on Energy and Natural Resources.

EC-3586. A communication from the Acting Federal Inspector of the Alaska Natural Gas Transportation System, transmitting, pursuant to law, the report on the state of the System summarizing the project developments that occurred from January through June 1990; to the Committee on Energy and Natural Resources.

EC-3587. A communication from the Deputy Associate Director for Collection and Disbursement, Minerals Management Service, Department of the Interior, transmitting, pursuant to law, a report on the refund of certain offshore lease revenues; to the Committee on Energy and Natural Resources.

EC-3588. A communication from the Secretary of Energy, transmitting pursuant to law, a report on procedures for overseeing the expenditure by States and Territories of Stripper Well and Exxon funds and the status of pending enforcement actions initiated during the first quarter of fiscal year 1990 and previous quarters with regard to the expenditure of petroleum violation escrow funds; to the Committee on Energy and Natural Resources.

EC-3589. A communication from the Assistant General Counsel of the Department of Energy, transmitting, pursuant to law, notice of a meeting related to the International Energy Program; to the Committee on Energy and Natural Resources.

EC-3590. A communication from the Secretary of Health and Human Services, transmitting, pursuant to law, Volume II of the Agency for Toxic Substances and Disease Registry's Biennial Report; to the Committee on Environment and Public Works.

EC-3591. A communication from the Acting Chairman of the United States International Trade Commission, transmitting, pursuant to law, the sixty-second quarterly report on trade between the United States and the nonmarket economy countries; to the Committee on Finance.

EC-3592. A communication from the Director of the United States Arms Control and Disarmament Agency, transmitting, pursuant to law, the annual report on Arms Control and Disarmament Studies; to the Committee on Foreign Relations.

EC-3593. A communication from the Assistant Secretary of State (Legislative Affairs), transmitting, pursuant to law, a report concerning plans regarding major disasters and incidents abroad affecting United States citizens; to the Committee on Foreign Relations.

EC-3594. A communication from the Chairman of the Administrative Conference of the United States, transmitting, pursuant to law, the eighth annual report on agency activities under the Equal Access to Justice Act; to the Committee on the Judiciary.

EC-3595. A communication from the Director of the National Science Foundation,

transmitting, pursuant to law, a report entitled "Scientific and Engineering Research Facilities at Universities and Colleges; 1990"; to the Committee on Labor and Human Resources.

EC-3596. A communication from the Inspector General of the Railroad Retirement Board, transmitting, pursuant to law, the budget request of the Board for fiscal year 1992; to the Committee on Labor and Human Resources.

EC-3597. A communication from the Secretary of Education, transmitting, pursuant to law, the interim report on the Study of Federal Funds Distribution; to the Committee on Labor and Human Resources.

EC-3598. A communication from the Acting Commissioner of Education Statistics, Office of Educational Research and Improvement, Department of Education, transmitting, pursuant to law, a report on dropout and retention rates entitled "Dropout Rates in the United States: 1992"; to the Committee on Labor and Human Resources.

EC-3599. A communication from the Commissioner of the Rehabilitation Services Administration, Office of Special Education and Rehabilitative Services, Department of Education, transmitting, pursuant to law, a report on the accomplishments of the supported employment programs under Section 311(d) of the Rehabilitation Act of 1973 for fiscal year 1989; to the Committee on Labor and Human Resources.

EC-3600. A communication from the Chairman and Members of the Railroad Retirement Board, transmitting, pursuant to law, the budget request of the Board for fiscal year 1992; to the Committee on Labor and Human Resources.

EC-3601. A communication from the Deputy Under Secretary of Defense (Acquisition), transmitting, pursuant to law, a report on Department of Defense procurement from small and other business firms for the period October 1989 through June 1990; to the Committee on Small Business.

EC-3602. A communication from the Comptroller General of the United States, transmitting, pursuant to law, a report entitled "Management of VA: Implementing Strategic Management Process Would Improve Service to Veterans"; to the Committee on Veterans's Affairs.

PETITIONS AND MEMORIALS

The following petitions and memorials were laid before the Senate and were referred or ordered to lie on the table as indicated:

POM-570. A petition from citizens of Nevada, California, and Oregon relative to grazing on public lands; to the Committee on Energy and Natural Resources.

POM-571. A resolution adopted by the House of Representatives of the State of Michigan; to the Committee on Environment and Public Works.

HOUSE RESOLUTION No. 566

"Whereas, Over the past year, our nation has witnessed many examples of the fragile nature of our ecology. The tragic oilspill in Alaskan waters has attracted international concern, while the publicity of the twentieth anniversary of the first Earth Day is certain to stir consciousness across the United States. In Michigan, many people have wondered what a major oilspill would do to the confined Great Lakes system. In addition, more warnings have been issued regarding the potential health threat of consuming fish from the Great Lakes; and

"Whereas, In the face of such events and issues, the White House has proposed major cuts in funding for Great Lakes research. Specifically, \$5.4 million would be cut from the budget, including major reductions in the Great Lakes National Program Office operated by the United States Environmental Protection Agency; the Great Lakes Environmental Research Laboratory operated by the National Oceanic and Atmospheric Administration; the Sea Grant program operating through universities, the Great Lakes Fishery Commission, a joint effort of the United States and Canada; and Environmental Protection Agency laboratories conducting Great Lakes research; and

"Whereas, It is highly shortsighted and irresponsible for the administration to ignore the critical role that the Great Lakes Basin plays in life in North America. The Great Lakes are one of our nation's most important resources. The Great Lakes constitute the largest reservoir of fresh water in the world, with almost 95 percent of the surface fresh water in our entire country. The Great Lakes Basin includes approximately 15 percent of the United States population and half of Canada's population; and

"Whereas, It is appalling to think that funding extravagant increases in defense systems at a time when peace and democracy are breaking out all over the world is more important than the drinking water of 25 million Americans and the primary resource of agriculture and industry. This is hardly the approach that should be taken by a nation that seeks to maintain its leadership and quality of life into the twenty-first century; now, therefore, be it

Resolved by the House of Representatives, That we hereby memorialize the Congress of the United States to oppose White House-proposed budget cuts to Great Lakes research, especially the critical work being done at the Great Lakes Environmental Research Laboratory; and be it further

Resolved, That copies of this resolution be transmitted to the Speaker of the United States House of Representatives, the President of the United States Senate, and the members of the Michigan congressional delegation."

POM-572. A resolution adopted by the Senate of the State of West Virginia; to the Committee on Finance:

"SENATE RESOLUTION No. 5

"Whereas, There is presently pending in the United States Senate S-2605 which would force pharmacists to encourage physicians to allow the substitution of alternative drugs to those prescribed by the attending physician; and

"Whereas, The Office of Management and Budget through its Director, Richard Darman, has presented to the budget conference a proposal, which if adopted would circumvent the normal legislative process, therefore, preventing the Congress from holding hearings and studies to further investigate whether or not such legislation is in the best interest of the Medicaid recipients and the public as a whole, and whether or not the bill would in fact save Medicaid money funding or would in fact cost taxpayers more money; and

"Whereas, The OMB proposal allows the establishment of a national formulary which each state would be required to follow; and

"Whereas, The OMB proposal requires pharmacists to make mandatory substitution of preferred drugs listed on the formulary rather than the drug prescribed by the

attending physician unless said physician indicated on the prescription that the prescribed drug was "medically necessary"; and

"Whereas, The OMB proposal would require the pharmacist to make therapeutic substitution of drugs without the approval of the attending physician and furthermore would grant immunity from civil suit to the pharmacist in the event death or injury would occur as a result of the drug substitution; and

"Whereas, By adopting the OMB proposal or S-2605 the Medicaid recipients would ultimately receive substandard drug treatment; and

"Whereas, Studies have shown that proper prescription drug treatment has been shown to be most cost effective form of medical treatment available; and

"Whereas, Restrictive formularies deny the best treatment to the poorest members of our society, that being the Medicaid recipient; and

"Whereas, Hundreds of national health and other organizations and leaders including federal and state legislators have taken positions adverse to the passage of either or both of these proposals. Some of those organizations include:

"The American Academy of Allergy and Immunology,

"American Academy of Family Physicians,

"American Cancer Society,

"American College of Cardiology/American Heart Association,

"American Health Association, New Jersey Affiliate,

"American Legislative Exchange Council,

"American Psychiatric Association,

"American Society of Clinical Pharmacology and Therapeutics,

"American Society of Internal Medicine,

"Arkansas Academy of Family Physicians Incorporated,

"Chemical Industry Council of New Jersey,

"Cystic Fibrosis Foundation,

"Epilepsy Foundation of America,

"Heritage Foundation,

"League of United Latin American Citizens (LULAC),

"Mexican-American Political Association,

"National Black Caucus of State Legislators,

"National Black Nurses Association,

"National Medical Association,

"National Urban League,

"National Multiple Sclerosis Society, Michigan Chapter,

"United States Hispanic Chamber of Commerce,

"Alzheimer's Association,

"American Society of Consultant Pharmacists,

"American Society of Hospital Pharmacists,

"Arthritis Foundation,

"National Urban League; therefore, be it

Resolved by the Senate, That the United States Senate and the House of Representatives refrain from passage of any legislation which would deny Medicaid patients access to essential prescription drugs either through overt therapeutic substitution or more subtle measures and to refrain from passage of any legislation which would establish national formulary to be followed by all states in administering their Medicaid program; and, be it

Further Resolved, That the Clerk is hereby directed to forward copies of this resolution to the President of the United States Senate and to the Speaker of the United States House of Representatives and

to send copies to each member of the Congressional delegation representing the great State of West Virginia."

POM-573. A resolution adopted by the House of Representatives of the State of North Carolina; to the Committee on Finance:

"HOUSE RESOLUTION 2411

"Whereas, the United States Congress amended the Social Security Act in 1972 (Public Law 92-603) to increase retirement benefits to reflect cost-of-living increases; and

"Whereas, a technical flaw in the amended benefit formula overcompensated people who retired after 1972; and

"Whereas, Congress corrected its error by amending the Social Security Act in 1977 (Public Law 95-216) to bring benefits back to historical levels, and phased in the reduction over five years, affecting individuals born between 1917 and 1921, called the "Notch" years; and

"Whereas, the phase-in period has not provided a smooth transition, but has resulted in "Notch Babies" receiving as much as three thousand dollars (\$3,000) per year less in benefits than people who have similar work histories but were born in 1916; and

"Whereas, members of Congress have for several years tried to pass legislation that would establish a uniform benefit formula to treat those born in the "Notch" years more equitably; and

"Whereas, the House of Representatives of the State of North Carolina is committed to equitable distribution of Social Security benefits and feels that the continued inequities in benefits received by persons born during the "Notch" years undermines public confidence in the Social Security system: *Now, therefore, be it resolved by the House of Representatives:*

"SECTION 1. The House of Representatives of the General Assembly urges Congress to pass legislation to ensure equitable distribution of Social Security benefits paid to those born between 1917 and 1921.

"SEC. 2. The House of Representatives further urges the President of the United States to sign this legislation so that the Social Security system will once again provide equal retirement benefits to all deserving individuals.

"SEC. 3. The Principal Clerk of the House of Representatives shall transmit a certified copy of this resolution to the President of the United States, the Secretary of the United States Senate, the Clerk of the United States House of Representatives, and to every member of the congressional delegation from North Carolina.

"SEC. 4. This resolution is effective upon adoption."

POM-574. A petition from citizens of Bozeman, Montana relative to Medicare compensation for Moh's surgery; to the Committee on Finance.

POM-575. A petition from citizens of Bozeman, Montana relative to a prospective system of reimbursement based on Diagnosis Related Groups; to the Committee on Finance.

POM-576. A petition from citizens of Bozeman, Montana related to unique physician identifiers for each physician who provides services under Medicare; to the Committee on Finance.

POM-577. A petition from citizens of Bozeman, Montana relative to mandatory

resource-based relative value scale; to the Committee on Finance.

POM-578. A petition from citizens of Bozeman, Montana relative to the cataract preferred provider organization project; to the Committee on Finance.

POM-579. A petition from citizens of Bozeman, Montana relative to medicare fee freeze; to the Committee on Finance.

POM-580. A petition from citizens of Bozeman, Montana relative to mandatory ICD-9-CM coding by Medicare; to the Committee on Finance.

POM-581. A petition from citizens of Bozeman, Montana relative to evasive and deceptive practices by Medicare; to the Committee on Finance.

POM-582. A petition from citizens of Bozeman, Montana relative to administrative determination of "medically unnecessary" treatments; to the Committee on Finance.

POM-583. A petition from citizens of Bozeman, Montana relative to mandatory Medicare assignments on office laboratory studies; to the Committee on Finance.

POM-584. A petition from citizens of Bozeman, Montana expressing opposition to Public Law 100-298, the Prescription Drug Marketing Act of 1987; to the Committee on Finance.

POM-585. A petition from citizens of Aha-hola, Hawaii praying for a redress of grievances; to the Select Committee on Indian Affairs.

POM-586. A joint resolution adopted by the Third Olbil Era Kelulau (Palau National Congress); to the Committee on Rules and Administration.

"SENATE JOINT RESOLUTION NO. 3-74

"Whereas, the late Honorable Spark Masayuki Matsunaga, a member of the United States Senate from the State of Hawaii, United States of America, was born in Kukulula, on the island of Kauai, Hawaii, to parents who had emigrated from Japan; and

"Whereas, the late Honorable Matsunaga graduated with honors from the University of Hawaii with a degree in education in 1941; and

"Whereas, upon the outbreak of World War II, the late Honorable Matsunaga joined the United States Army's all-Nisei 100th Battalion of the 442nd Regimental Combat Team; and

"Whereas, when the late Honorable Matsunaga served in the Army fighting in Italy, his regiment became one of the most heavily decorated and famous units in the history of the Army, and the late Honorable Matsunaga earned the Bronze Star Medal and two Purple Hearts; and

"Whereas, after the war the late Honorable Matsunaga entered Harvard University law school where he earned his law degree, and after graduation became assistant prosecutor in Honolulu from 1952 to 1954, then had a private law practice until 1963; and

"Whereas, the late Honorable Matsunaga's legislative history dates back to 1954 when he served as a member of the territorial House of Representatives, and in 1959 he served as majority leader; and

"Whereas, after 14 years in the United States House of Representatives, the late Hawaii Democrat Matsunaga ran for the Senate in 1976 to succeed Republican Hiram Fong, who was then retiring, and won the Senate seat; and

"Whereas, the late Senator has successfully won his last two Senate races with 80 percent and 76 percent, respectively, of the popular vote; and

"Whereas, when the late Honorable Matsunaga was in the House, he served on the powerful Rules Committee, and became a deputy party whip; and

"Whereas, in 1977, in his first year in the Senate, the late Senator won a highly sought seat on the powerful Finance Committee, where he immediately was named Chairman of the newly created Subcommittee on Tourism and Sugar; and

"Whereas, the late Senator devoted most of his attention to fostering the economy of his native Hawaii, but he also was a voice for free trade, the peaceful exploration space, justice for Japanese-Americans who had been interned during World War II, and the establishment of a national "peace academy"; and

"Whereas, perhaps the late Senator's greatest legislative victory was almost single-handedly gaining passage in the 100th Congress of a law redressing the injustice suffered by West Coast Japanese-Americans whose patriotism had been questioned and who were interned in camps during World War II; and

"Whereas, the law, which the late Senator spent nine years trying to enact, provided \$1.25 billion to pay each surviving detainee \$20,000 and offered a written, formal, and profound apology by the U.S. government; and

"Whereas, since 1963 when the late Senator was still a member of the House of Representatives, he had introduced a bill to fulfill another of his longtime goals, the establishment of an institute which became the U.S. Institute for Peace, for the study of peaceful resolution to conflict which the Congress had finally approved in 1984; and

"Whereas, in the area of space exploration, the late Senator worked for a joint U.S.-Soviet Mars exploration program and for the declaration of 1992 as International Space Year, and also sought to bring NASA funds to Hawaii and to make his state a major center for space exploration; and

"Whereas, at the time of his death, the late Senator was the number two member of the powerful Senate Finance Committee; and

"Whereas, before the Senate recessed during the last week before his death, the late Senator cast his last votes on the floor from a wheelchair; and

"Whereas, the late Honorable Spark Masayuki Matsunaga, 73, a Hawaii Democrat who had served in the Senate of the U.S. Congress since 1977 and * * *"

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. BOREN, from the Select Committee on Intelligence:

Special Report entitled "U.S. Capability to Monitor Soviet Compliance with the Threshold Test Ban Treaty [TTBT] and the Treaty on Peaceful Nuclear Explosions [PNET] (Rept. No. 101-462).

By Mr. HOLLINGS, from the Committee on Commerce, Science, and Transportation, with amendments:

S. 2788. A bill to authorize certain programs and functions of the National Oceanic and Atmospheric Administration, and for other purposes (Rept. No. 101-463).

By Mr. GLENN, from the Committee on Governmental Affairs, with an amendment in the nature of a substitute and an amendment to the title:

S. 273. A bill to amend title 39, United States Code, to designate as nonmailable matter solicitations of donations which could reasonably be misconstrued as a bill, invoice, or statement of account due, solicitations for the purchase of products or services which are provided either free of charge or at a lower price by the Federal Government connection or endorsement, unless such matter contains an appropriate, conspicuous disclaimer, and for other purposes (Rept. No. 101-464).

By Mr. BIDEN, from the Committee on the Judiciary, without amendment:

H.R. 3897. A bill to authorize appropriations for the Administrative Conference of the United States for fiscal years 1991, 1992, 1993, and 1994, and for other purposes.

By Mr. PELL, from the Committee on Foreign Relations, without amendment and with a preamble:

S. Res. 324. A resolution congratulating President Vassiliou, the government, and the people of Cyprus on the thirtieth anniversary of independence.

By Mr. PELL, from the Committee on Foreign Relations, without amendment:

S. 3041. A bill to set forth United States policy toward Central America and to assist the economic recovery and development of that region.

EXECUTIVE REPORTS OF COMMITTEES

The following executive reports of committees were submitted:

By Mr. PELL, from the Committee on Foreign Relations:

Edwin D. Williamson, of South Carolina, to be Legal Advisor of the Department of State;

Robert F. Goodwin, of Maryland, to be a Commissioner on the part of the United States on the International Joint Commission, United States and Canada;

Joseph Francis Glennon, of Florida, to be a Member of the Advisory Board for Cuba Broadcasting for a term expiring October 27, 1991;

Carolyn D. Leavens, of California, to be a Member of the Board of Directors of the Overseas Private Investment Corporation for a term expiring September 17, 1990;

Carolyn D. Leavens, of California, to be a Member of the Board of Directors of the Overseas Private Investment Corporation for a term expiring December 17, 1993;

James D. Watkins, of California, to be the Representative of the United States to the 34th Session of the General Conference of the International Atomic Energy Agency;

Richard T. Kennedy, of the District of Columbia, to be an Alternate Representative of the United States to the 34th Session of the General Conference of the International Atomic Energy Agency;

Michael H. Newlin, of Maryland, to be an Alternate Representative of the United States to the 34th Session of the General Conference of the International Atomic Energy Agency;

Kenneth M. Carr, of California, to be an Alternate Representative of the United States to the 34th Session of the General Conference of the International Atomic Energy Agency; and

Tom C. Korologos, of Virginia, to be a Member of the United States Advisory Commission on Public Diplomacy for a term expiring July 1, 1993.

(The above nominations were reported with the recommendation that they

be confirmed, subject to the nominees' commitment to respond to requests to appear and testify before any duly constituted committee of the Senate.)

Mr. PELL. Mr. President, for the Committee on Foreign Relations, I also report favorably a nomination list in the Foreign Service which was printed in full in the CONGRESSIONAL RECORD of September 10, 1990, and ask unanimous consent, to save the expense of reprinting on the Executive Calendar, that these nominations lie at the Secretary's desk for the information of Senators.

By Mr. PELL, from the Committee on Foreign Relations: Ex. N, 94-2 and Treaty Doc. 101-19.

Two treaties between the United States of America and the Union of Soviet Socialist Republics on (1) the Limitation of Underground Nuclear Tests, signed in Moscow on July 3, 1974, and (2) Underground Nuclear Explosions for Peaceful Purposes (PNET), signed in Washington and Moscow on May 28, 1976, with an Agreed Statement relating to paragraph 2(c) of Article III of the PNET, signed on May 13, 1976, and the Protocol to the Treaty between the United States of America and the Union of Soviet Socialist Republics of the Limitation of Underground Nuclear Weapons Tests, and the Protocol to the Treaty between the United States of America and the Union of Soviet Socialist Republic on Underground Nuclear Explosions for Peaceful Purposes (the Protocols), both signed at Washington on June 1, 1990, having considered the same, reports favorably thereon with two declarations to the Treaty on the Limitation of Underground Nuclear Weapons Tests and the Protocol thereto, and recommends that the Senate give its advice and consent to ratification thereof (Exec. Rept. No. 101-31).

[Senate of the United States in Executive Session]

TEXT OF RESOLUTIONS OF RATIFICATION

Resolved, (two-thirds of the Senators present concurring therein), That the Senate advise and consent to ratification of the Treaty Between the United States of America and the Union of Soviet Socialist Republics on Underground Nuclear Explosions for Peaceful Purposes, signed in Washington and Moscow on May 28, 1976, and the Protocol thereto, signed in Washington on June 1, 1990, and an Agreed Statement relating to paragraph 2(c) of Article III of the treaty, signed on May 13, 1976.

Resolved, (two-thirds of the Senators present concurring therein), That the Senate advise and consent to ratification of the Treaty Between the United States of America and the Union of Soviet Socialist Republics on the Limitation of Underground Nuclear Weapon Tests, signed in Moscow on July 3, 1974, and the Protocol thereto, signed in Washington on June 1, 1990, subject to—

I. The declaration that to ensure the preservation of a viable deterrent there should be safeguards to protect against unexpected political or technical events affecting the military balance; that such safeguards, consistent with national interests and resources, should be an important ingredient in decisions on national security programs and allocation of available resources; and that such safeguards should be as follows:

SAFEGUARD "A"

The conduct, within the constraints of treaties on nuclear testing, of effective and continuing underground nuclear test programs designed to add to our knowledge and improve our weapons in all areas of significance to our military posture for the future.

SAFEGUARD "B"

The maintenance of modern nuclear laboratory facilities and programs in theoretical and exploratory nuclear technology which will attract, retain, and ensure the continued application of our human scientific resources to those programs on which continued progress in nuclear technology depends.

SAFEGUARD "C"

The maintenance of the basic capability to resume nuclear test activities prohibited by treaties should the United States cease to be bound to adhere to such treaties.

SAFEGUARD "D"

In conjunction with an effective verification program, the conduct of comprehensive and continuing research and development programs to improve our treaty monitoring capabilities and operations.

SAFEGUARD "E"

The continuing development of a broad range of intelligence gathering and analytical capabilities and operations to ensure accurate and comprehensive information on worldwide nuclear arsenals, nuclear weapons development programs, and related nuclear programs.

II. The declaration that, mindful of the commitment of the United States, the Soviet Union and Great Britain in the Limited Test Ban Treaty of 1963 and in the Non-Proliferation Treaty of 1968 to seek the discontinuance of all test explosions of nuclear weapons for all time and of the commitment which shall be legally binding on the Parties upon ratification of the Treaty on the Limitation of Underground Nuclear Weapons Tests to "continue their negotiations with a view toward achieving a solution to the problem of the cessation of all underground nuclear weapon tests," the United States shares a special responsibility with the Soviet Union to continue the bilateral Nuclear Testing Talks to achieve further limitations on nuclear testing, including the achievement of a verifiable comprehensive test ban.

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first and second time by unanimous consent, and referred as indicated:

By Mrs. KASSEBAUM:

S. 3054. A bill entitled the "Improved Rural Railroad and Grain Car Service Act"; to the Committee on Commerce, Science, and Transportation.

By Mr. SIMPSON:

S. 3055. A bill to amend the Immigration and Nationality Act to expedite removal of aliens, and for other purposes; to the Committee on the Judiciary.

By Mr. GRASSLEY:

S. 3056. A bill to establish the Federal Interagency Advisory Council and promote the use of senior citizens in the support of Federal agencies, and for other purposes; to the Committee on Governmental Affairs.

By Mr. GRASSLEY (for himself and Mr. BURDICK):

S. 3057. A bill to amend the Environmental Programs Assistance Act of 1984 to provide that for purposes of liability for damage, injury or death caused by the negligence or wrongful acts or omissions of individuals authorized by such Act, the United States is liable, and for purposes of access to trade secrets and confidential business information such individuals are authorized representatives of the United States Environmental Protection Agency; to the Committee on Environment and Public Works.

By Mr. MACK:

S. 3058. A bill for the relief of William L. Stuck, Glenn Jenkins, Charles L. Cavell, Alto C. Bowdoin, Jr., and Nathan J. Schnurman; to the Committee on the Judiciary.

By Mr. DeCONCINI (for himself and Mr. THURMOND):

S. 3059. A bill to amend title 28, United States Code, to authorize the appointment of additional bankruptcy judges; to the Committee on the Judiciary.

By Mr. REID:

S.J. Res. 364. Joint resolution to designate the third week of February 1991, as "National Parents and Teachers Association Week"; to the Committee on the Judiciary.

SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

The following concurrent resolutions and Senate resolutions were read, and referred (or acted upon), as indicated:

By Mr. PELL, from the Committee on Foreign Relations:

S. Res. 324. Resolution congratulating President Vassiliou, the government, and the people of Cyprus on the thirtieth anniversary of independence; placed on the calendar.

By Mr. MOYNIHAN (for himself, Mr. PELL, and Mr. KERRY):

S. Con. Res. 146. Concurrent resolution expressing the sense of the Congress that the United States should pay its outstanding debt to the United Nations; to the Committee on Foreign Relations.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mrs. KASSEBAUM:

S. 3054. A bill entitled the "Improved Rural Railroad and Grain Car Service Act"; to the Committee on Commerce, Science and Transportation.

IMPROVED RURAL RAILROAD AND GRAIN CAR SERVICE ACT

Mrs. KASSEBAUM. Mr. President, I rise today to introduce legislation to address the abandonment of railroad lines and the shortage of grain cars across rural America.

The bill reaffirms the congressional intent to make the Interstate Commerce Commission consider whether the proposed abandonment of discontinuance will have a serious, adverse impact on the affected rural community, its surrounding agricultural producers, and on the affected community's development.

Recently, the State of Kansas published a study entitled "Kansas Rail Lines at Risk." The report concluded that many small Kansas communities are in danger of losing their rail serv-

ice. The study stated the reduced rail service will have far-reaching implications. According to the report, the most directly affected are farmers and small shippers in rural communities. In addition, the report noted rail abandonments can have adverse implications for rail workers and their families, as well as schools, local retail businesses, and real estate values. In short, the very existence of a rural community may be threatened by the loss of rail service.

A followup report from the State, entitled the "Impact of Rail Branch Line Abandonment on Rural Highways," concluded that rail abandonment resulted in substantial strain and deterioration of rural highways. Such highway strain and deterioration threatens the lives of rural travelers and translates into increased property and sales taxes for repair and upkeep.

Most recently, the Wichita Eagle reported on the adverse impact rail abandonments will have on the many small towns and wheat elevators across Kansas. The apprehension in the rural communities is significant.

The disturbing aspect of the current abandonment procedure is that it is being done in a vacuum. A major part of our transportation infrastructure is literally being dismantled, and no thoughtful consideration is being given to what effect these abandonments will have on our long-term agricultural transportation system. Our economy will ultimately pay a tremendous price for shortsighted action.

For reasons I find inexcusable, many hundreds of miles of Kansas railroad tracks have fallen into abject disrepair. On many lines there has been no substantial capital improvements or repairs for 70 years. Trains on some lines cannot operate at speeds in excess of 8 miles per hour, and on some lines the safe speed is even less. Such speeds are ridiculous—particularly for common carriers.

Ironically, our current abandonment process endorses shortsighted actions. This turns public policy on its head. Let me explain. Having laid track on land often granted them by the Federal Government for the purpose of building and maintaining a railroad, the railroads have gone decades without maintaining and keeping up their tracks. Year after year they profited from carrying grain over the tracks but ignored necessary repairs and improvements. After 70 years of wear and tear, trains can no longer run at even minimal speeds. Because of unreasonable speed restraints and spotty grain car supplies, grain elevators began shipping their loads by truck. The railroads are now pointing to the reduced grain shipments and are petitioning the ICC to abandon the track for lack of traffic. Such behavior is similar to the child who shoots both

his parents and pleads for leniency because he is an orphan.

Railroads are common carriers. It is not right for the Interstate Commerce Commission to approve the abandonment of tracks which have fallen into disuse because of purposeful neglect and dereliction of reasonable repair.

The legislation I am introducing in essence prohibits the abandonment of track which has fallen into disrepair because of unreasonably neglect by the railroad. The bill also provides for a more accurate consideration of the historical amounts of grain shipped over the line. The current data is distorted because of the recent drought. It also prevents what I view as fraudulent transfers of track to essentially defunct railroad companies for the purpose of tearing up the track and selling the rails for scrap. It also gives a right of first refusal to the lessees of grain elevators if the elevator is to be sold by the railroad.

The failure of railroads to make capital investments in our rural transportation system is not limited to track repair. For years, there have been shortages of grain hopper cars for shipping grain. Railroads have not been anxious to purchase sufficient numbers of cars to supply adequately rural grain elevators, nor have they been anxious to carry privately owned grain cars for elevators. Just as adequate repair and capital improvements are necessary to keep tracks in order to ship grain economically, a sufficient and reliable supply of grain cars is necessary to maintain a rural agricultural system.

Many have argued the developments of short-line railroads is the best way to address the abandonment problem. If short-line railroads are to be a major component of our agricultural transportation system, the current haphazard process in which short lines are developed should be substantially revised. As a first step, the legislation requires better and more timely disclosure of information useful in determining the feasibility of a short-line system.

Mr. President, the leverage assumed by Wall Street to do its hostile takeovers, buy outs, and special dividends was in my view a serious mistake. Many people who have never seen a grain elevator made spectacular profits speculating in railroad stocks and demanding the liquidation of railroad assets. Small towns in Kansas and other farm States then are asked to pay for those profits in the form of layoffs, closed railroad shops, abandoned lines, and discontinued service. Left unchecked, such activity may cripple our rural transportation system, and result in the demise of many small communities across my State. I believe we must address this shortsighted action and take the nec-

essary steps to protect the long-term interests of our agricultural transportation system.

By Mr. SIMPSON:

S. 3055. A bill to amend the Immigration and Nationality Act to expedite removal of criminal aliens, and for other purposes; to the Committee on the Judiciary.

CRIMINAL ALIENS DEPORTATION AMENDMENTS

Mr. SIMPSON. Mr. President, today I rise to introduce legislation which would remove criminal aliens from the United States in a much more expeditious fashion.

I recently was quite surprised to learn that aliens now comprise 20 percent of our Federal prison population. In addition, while we do not have adequate figures as to the number of aliens in our State prisons, the judicial personnel in those States with high alien concentrations advise me that the number of aliens that come before their courts is very large.

The Immigration and Naturalization Service (INS) informs me that, during fiscal year 1990, it will apprehend approximately 30,000 aliens who are deportable because of their criminal records or activities. Our current detention and deportation system is simply not capable of processing and removing this frightening number of potentially dangerous aliens, and significant improvements in this system are thus essential.

Most legal immigrants are hard-working, law-abiding, and usually a very positive addition to our country. Also, most illegal immigrants are not themselves involved in criminal activity, even though their entry into the United States may unintentionally promote other serious criminal activities, such as alien smuggling, drug smuggling, and documents fraud. However, we must pay special attention to those criminal aliens who do pose a serious threat to our country.

I strongly believe that aliens who commit violent crimes, and aliens who have committed serious drug-related crimes, should be deported from our country in as swift a manner as is possible. Unfortunately, the opposite is the reality today. Because of the many opportunities for delay that exist in our current deportation system, an alien convicted of a serious crime may nonetheless remain in the United States for many years while he or she pursues the available legal remedies.

I do not propose in any way that we dramatically reduce the number of legal remedies available to deportable aliens. Aliens that have made an entry into the United States are surely entitled to due process. However, I believe that we should protect against the abuse of current legal remedies by placing time limitations and other reasonable requirements on the legal avenues that now exist. Thus, every de-

portable alien will still be able to raise his or her claim to stay in the United States, and that claim will be heard. However, the multiple raising of the same claim, and devious delays in making the claim, will no longer be tolerated.

In brief, my legislation would do two things: First, it would conform the procedural rules in our deportation processes to those that apply to any citizen pursuing or defending a lawsuit under the Federal rules or civil procedure; second, it would prohibit criminal aliens from seeking certain avenues of relief from deportation that are now available to all aliens—criminal or otherwise.

I believe it is most essential that we pass legislation before the end of the 101st Congress regarding this serious problem of criminal aliens. I have consulted with the Department of Justice on this legislation, and I have circulated drafts of the bill to many of the organizations involved in the issue and have reviewed their comments thoroughly. My friend, the able Congressman LAMAR SMITH, the ranking member of the House Immigration Subcommittee, has already introduced identical legislation (H.R. 5284). He and I will work diligently with all of the interested Members of the House and Senate in pursuing this important legislation to enactment.

I ask unanimous consent that a summary of the bill be printed in the RECORD and I encourage my colleagues to support the legislation.

There being no objection, the summary was ordered to be printed in the RECORD, as follows:

SUMMARY OF CRIMINAL ALIEN DEPORTATION ACT OF 1990

Section 1:

Short title.

Section 2:

Defines the classes of criminal aliens to which the legislation applies: "class 1 felon" and "class 2 felon."

Class 1 felons include aliens convicted of felonies under federal or state law for which a sentence of 5 years or more may be imposed for the following activities: crimes of violence, drug trafficking, firearm trafficking, and money laundering.

Class 2 felons include aliens convicted of crimes of violence, drug trafficking, firearm trafficking, and money laundering for which a sentence of 1 to 5 years may be imposed, except that crimes against property involving damage of less than \$10,000 are not included.

Class 1 felons must appeal to the federal courts within 30 days of final administrative deportation decisions. Class 2 felons must appeal to the federal courts within 60 days of final administrative deportation decisions.

Class 1 felons are barred from re-entering the U.S. for 20 years (without special permission of the Attorney General). Class 2 felons are so barred for 10 years.

Class 1 and Class 2 felons may not count more than 60 days toward the 7-year period required for suspension of deportation while deportation proceedings are pending against them.

Section 3: Deportation Hearing Notices:

Requires aliens under deportation proceedings to: 1) provide the government with their current address, and any subsequent change of address, and 2) appear on time to scheduled deportation hearings.

If correct address not given, or if notice of deportation hearings is sent to address given and alien does not appear, then the government may conduct *in absentia* deportation hearings against that alien.

Section 4: Deportation Procedures:

Deportable aliens who have previously violated a requirement to depart voluntarily by a date certain may not be granted the privilege of voluntary departure in the future, but must be formally deported.

Aliens in deportation proceedings must raise all defenses to their deportation when they initially respond to the government's deportation order (unless a claim for political asylum arises unexpectedly at a later date).

Government must provide immediate notice to aliens of the above requirements.

Aliens in deportation proceedings must pursue their defenses and appeals diligently, within specified time limits.

Aliens in deportation proceedings may have their cases dismissed if they file frivolous motions or pleadings. Attorneys who file frivolous motions or pleadings on an alien's behalf may be sanctioned.

Aliens seeking judicial review of a final administrative deportation decision must raise all appealable issues at one time, in the same appeal.

Aliens placed in deportation proceedings may be granted a stay in the proceedings of up to 14 days in order to attempt to secure counsel.

Section 5: Political Asylum:

Aliens convicted of Class 1 or Class 2 felonies may not apply for political asylum (but withholding of deportation remains available for Class 2 felons).

Aliens convicted of Class 1 felonies may not apply for withholding of deportation (which, like political asylum, requires that an alien satisfy the international refugee definition, but imposes a higher burden of proof).

Section 6: Definition of "Good Moral Character":

Prohibits aliens convicted of a Class 1 felony from being considered to be of "good moral character" for the purpose of receiving certain benefits under immigration law.

Section 7: INS Law Enforcement Authority:

Authorizes INS officers to make arrests for non-immigration-related felonies.

Authorizes INS officers to carry firearms.

Requires INS to fingerprint and photograph each alien apprehended and ordered removed.

Section 8: State Reporting on Criminal Aliens:

Requires State governments to provide the INS with conviction records whenever an alien is convicted of violating a state criminal law.

Section 9: Reports:

Requires the Attorney General to report to Congress on: 1) INS execution of final deportation orders, and 2) deportation proceedings held in prison institutions, pursuant to the Anti-Drug Abuse Act of 1988.

Section 10: Miscellaneous Provisions:

Eliminates automatic waiver of grounds of exclusion for aliens who have resided permanently in the U.S. for at least 7 years, when such aliens have been convicted of a Class 1 or Class 2 felony.

Grants INS the authority to decide whether or not to follow a judicial recommendation against deportation issued by a state court.

Excludes from readmission those aliens convicted of a Class 2 felony and who have departed the U.S. voluntarily in lieu of deportation (Class 1 felons are already so barred).

Clarifies that the Equal Access to Justice Act does not apply to administrative deportation or exclusion proceedings:

Section 11: Deportation Transcripts:

Provides an additional \$5 million for each of FY's 1991-1993 to reduce the backlog in deportation trial transcripts at the Executive Office for Immigration Review.

Section 12: Additional Immigration Judges:

Authorizes funds to provide for 20 additional immigration judges to conduct deportation proceedings for criminal aliens who are serving time in prison.

By Mr. GRASSLEY:

S. 3056. A bill to establish the Federal Interagency Advisory Council and promote the use of senior citizens in support of Federal agencies, and for other purposes; to the Committee on Governmental Affairs.

FEDERAL SENIOR CITIZEN PERSONNEL SUPPORT COUNCIL ACT

● **Mr. GRASSLEY.** Mr. President, today I am introducing legislation which would establish a Federal interagency council to promote, and coordinate the use of, older workers in the Federal Government.

The inspiration for this council is the Senior Environmental Employment Program, a program of the Environmental Protection Agency which employs older workers to carry out many of the regular activities of the agency.

This program began some years ago as a demonstration project run jointly by EPA and the Administration on Aging in the then Department of Health, Education and Welfare. The primary purpose of this original project was to demonstrate ways in which older Americans could be effectively employed in jobs relating to the prevention, abatement, and control of environmental pollution.

Several years later, in 1984, legislation was introduced by myself and Senators Stafford, HEINZ, SPECTER, and PELL to make the program permanent. The Environment and Public Works Committee agreed unanimously to report the legislation, it passed the Senate, and the President signed what became Public Law 98-313 on June 12, 1984.

This program has been a success, and has demonstrated conclusively that older workers can make a contribution to achievement of the agency's objectives. EPA seeks out older Americans with appropriate skills, training and expertise to augment its permanent headquarters staff and field staff, as well as the staff of State and local governments. These workers survey waste dumps, conduct surveys

of hazardous waste products, study the extent to which migrant workers are exposed to pesticides, and undertake many other tasks related to the mission of EPA.

At the same time that the program enables EPA to more successfully carry out its duties, it creates no problems for career workers. The managers of the program and the agency personnel director must insure that employment of SEE workers does not displace currently employed individuals, interfere with the employment of any Federal employee in layoff status, or affect existing contracts for services.

While they work for EPA, and under close supervision of EPA career officials, the SEE workers are hired through contracts or cooperative agreements that EPA concludes with several of the national aging organizations. Strictly speaking, therefore, while they are supervised by EPA officials, they are employees of, and are paid by, the national aging organizations which contract with EPA.

Recently, other agencies have become interested in developing SEE-type programs. The Federal Communications Commission has a SEE-like program now, and several other Federal agencies are seriously weighing the possibility of establishing a SEE-like program.

I think it is appropriate, therefore, to consider establishment of a Government-wide council to help foster interest in such programs, and to help coordinate those programs that now exist or might be commenced.

The basic purpose of the council is to help foster use of senior citizens as support personnel for Federal programs. It would do this by developing a Government-wide plan to use such workers, and by monitoring the implementation of that plan. The plan would provide for State and local government participation. It would provide for the exchange of information between Federal agencies on such programs. And it would recommend any legislation necessary to remove obstacles preventing implementation of the council's plans.

This legislation would require each Federal agency to submit a plan to the council annually. The agencies' plans would show how the agency in question would go about implementing the council's Government-wide plan for enhancing use of senior citizens in Federal programs.

The legislation would require the council to oversee a special review by each agency to determine the extent to which senior citizens are given an opportunity to participate as support personnel in Federal programs.

Agencies are required to furnish data, reports, and other information upon request to the council. And they are authorized to provide such services to the council as the council may re-

quest and as may be agreed on by the council and the agency.

I believe that older workers can make a contribution to the work of the Federal Government, Mr. President, and I believe that in coming years there are a good many reasons why our society is going to have to enable those older workers, who want to, to remain employed.

I ask unanimous consent that a copy of the bill be included in the RECORD after my remarks.

There being no objection, the bill was ordered to be printed in the RECORD, as follows.

S. 3056

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "Federal Senior Citizen Personnel Support Council Act of 1990".

SEC. 2. PURPOSES.

The purposes of this Act are to—

- (1) advance the development of more programs which utilize the talents of older Americans;
- (2) strengthen the capacity of Federal agencies to perform legislative mandates; and
- (3) increase the opportunities for senior citizens to serve the Nation in highly specialized and technical areas.

SEC. 3. ESTABLISHMENT.

There is established the Federal Senior Citizen Personnel Support Council (hereafter referred to as the "Council").

SEC. 4. MEMBERSHIP OF THE COUNCIL.

(a) **MEMBERSHIP.**—The Council shall be composed of 7 members, including—

- (1) the Administrator of the Environmental Protection Agency;
- (2) the Commissioner of the Administration on Aging of the Department of Health and Human Services;
- (3) the Secretary of Labor; and
- (4) 4 members appointed by the President, 2 of which shall be representatives of—
 - (A) national aging organizations; and
 - (B) senior citizens at large.

(b) **CHAIRMAN.**—The Administrator of the Environmental Protection Agency shall serve as the Chairman of the Council for the initial 3-year term. Thereafter, the Council shall select a Chairman from among its members.

(c) **QUORUM.**—Four members of the Council shall constitute a quorum.

(d) **TERM OF OFFICE.**—Each appointed member shall be appointed for a term of 3 years. A member may serve more than 1 term.

(e) **VACANCIES.**—Any vacancies in the Council shall not affect its powers, but shall be filled in the same manner as the original appointment.

(f) **INITIAL APPOINTMENTS.**—Initial appointments to the Council shall be made within 60 days after the date of the enactment of this Act.

SEC. 5. FUNCTIONS.

(a) **FEDERAL PLAN.**—The Council shall develop and monitor the implementation of a Government-wide Federal plan to—

- (1) increase the use of senior citizens as support personnel for federally sponsored programs;

(2) provide for State and local government participation;

(3) exchange information between Federal agencies to greater utilize the skills, training, and expertise of senior citizens in such programs; and

(4) recommend any legislation necessary to remove obstacles preventing implementation of plans under this Act.

(b) **FEDERAL AGENCY PLANS.**—The Council shall review the report and plan of each Federal agency submitted under section 6.

(c) **REPORT.**—No later than January 15 of each year, the Council shall submit a report to the President and the Congress on the status of the implementation of the Federal plan developed under subsection (a) for the preceding year.

SEC. 6. FEDERAL AGENCY PLANS AND REVIEW.

(a) **FEDERAL AGENCY PLANS.**—No later than January 15 of each year, each Federal agency shall submit to the Council a plan that—

(1) applies and implements the Government-wide plan developed under section 5 to the agency;

(2) sets out the objectives of the agency in implementing such plan in the upcoming year; and

(3) measures the performance of the agency in meeting the objectives of the preceding year.

(b) **REVIEW OF FEDERAL AGENCY PROGRAMS.**—No later than January 1, 1995 and every 5 years thereafter, the Director of the Federal Council on Aging shall oversee a special review by each Federal agency to determine the extent to which senior citizens are given an equal opportunity to participate as support personnel in Federal programs. The review shall examine unintended regulatory barriers, determine the adequacy of announcements of program support opportunities and identify ways for eliminating impediments and hindrances.

SEC. 7. COOPERATION WITH FEDERAL AGENCIES.

(a) **FURNISHING INFORMATION.**—Each department, agency, and instrumentality of the Federal Government is authorized and directed to furnish to the Council, upon requests made by the Chairman, such data, reports, and other information not otherwise prohibited by law as the Council determines necessary to carry out its functions.

(b) **PROVISION OF SERVICES.**—The head of each department or agency of the Federal Government is authorized to provide to the Council such services as the Council requests on such basis, reimbursable or otherwise, as may be agreed between the department or agency and the Chairman of the Council. All such requests shall be made by the Chairman of the Council.

(c) **ENVIRONMENTAL PROTECTION AGENCY SUPPORT SERVICES.**—For the initial term of the Administrator of the Environmental Protection Agency as Chairman of the Council, the head of the Office of Senior Environmental Employment of such agency shall provide support services for the Council. Thereafter the Environmental Protection Agency, the Department of Labor, and the Administration on Aging shall provide services to the Council on a rotational basis or as otherwise agreed by such agencies in the same manner as provided for under subsection (b).

SEC. 8. ADMINISTRATIVE PROVISIONS.

(a) **TRAVEL EXPENSES.**—While away from their homes or regular places of business in the performance of service for the Council, appointed members of the Council shall be allowed travel expenses, including per diem in lieu of subsistence, in the same manner as

persons employed intermittently in the Government service are allowed expenses under section 5703(b) of title 5 of the United States Code.

(b) **PERSONNEL.**—The Council may appoint and fix the compensation of personnel without regard to the provisions of title 5, United States Code, governing appointments in the competitive service, and such personnel may be paid without regard to the provisions of chapter 51 and subchapter III of chapter 53 of such title relating to classification and General Schedule pay rates, but at a rate not to exceed the maximum rate authorized by the General Schedule. In addition, the Council may procure the services of experts and consultants in accordance with section 3109 of title 5, United States Code, but at rates for individuals not to exceed the daily equivalent of the annual rate of basic pay in effect for the maximum rate authorized by the General Schedule.

(c) **CONSULTANTS.**—The Council is authorized to negotiate and enter into contracts with private organizations and education institutions to carry out such studies and prepare such reports as the Council determines are necessary in order to carry out its duties.

SEC. 9. AUTHORIZATION OF APPROPRIATIONS.

There are authorized to be appropriated to the Council such sums as may be necessary to carry out the provisions of this Act.●

By Mr. GRASSLEY (for himself and Mr. BURDICK):

S. 3057. A bill to amend the Environmental Programs Assistance Act of 1984 to provide that for purposes of liability for damage, injury, or death caused by the negligence or wrongful acts or omissions of individuals authorized by such act, the United States is liable, and for purposes of access to trade secrets and confidential business information such individuals are authorized representatives of the U.S. Environmental Protection Agency; to the Committee on Environment and Public Works.

ENVIRONMENTAL PROGRAMS ASSISTANCE ACT OF 1984 AMENDMENTS OF 1990

● Mr. GRASSLEY. Mr. President, I rise today to introduce, with my colleague Senator BURDICK, legislation which would clarify the Government's liability for the actions of individuals performing services for the Environmental Protection Agency in that Agency's Senior Environmental Employment Program [SEE]. The bill we are introducing would also provide SEE Program enrollees with the same access to information needed to do their jobs that regular EPA employees presently have.

The Senior Environmental Employment Program began some years ago as a demonstration project jointly supported by the Administration on Aging in the then Department of Health, Education, and Welfare, and the Environmental Protection Agency. The primary purpose of the project was to demonstrate ways in which older Americans could be effectively employed in jobs relating to the preven-

tion, abatement, and control of environmental pollution.

Over several years, considerable experience was accumulated with older workers in environmental protection activities. Older workers surveyed waste dumps, conducted surveys of hazardous waste products produced by industries, studied the extent to which migrant workers were exposed to pesticides, among other activities.

Then, in 1984, Senators STAFFORD, HEINZ, SPECTER, PELL, and myself introduced legislation to make the program permanent. The Environment and Public Works Committee agreed unanimously to report the legislation, and it was passed by the Senate on March 26, 1984, and signed by the President on June 12, 1984.

The SEE Program has been supported consistently by the leadership of EPA. The legislation which made the program permanent was strongly supported by the then EPA Administrator, William Ruckelshaus. The program has also caused no problems for other, career, EPA employees, since the managers of the program and the Agency personnel office must ensure that employment of SEE workers does not displace currently employed individuals, interfere with the employment of any Federal employee in layoff status, or affect existing contracts for services.

Older workers are hired by the SEE Program through contracts or cooperative agreements that EPA concludes with several of the national aging organizations. Prominently involved have been the American Association of Retired Persons, the National Council on Aging, and the National Caucus and Center on the Black Aged.

Mr. President, this is a program which has conclusively demonstrated that older workers constitute a valuable resource whose talents we should make every effort to continue to use. In this program, the SEE workers are knowledgeable, often former EPA employees, or professionals who have worked in related fields.

I am introducing this legislation today because there is concern at the EPA that their SEE workers might be liable to lawsuit as a consequence of work they do on behalf of EPA. What the legislation would do is cover these SEE workers under the Federal Tort Claims Act. The workers in question work under the close, direct, supervision of career EPA officials, on projects specified by EPA officials, which are undertaken as part of the EPA mission.

There is also concern at EPA that the workers in question may not have the legal authority to review, in the course of their work, materials considered to contain proprietary information. This bill would make it clear that they are empowered to review such

materials. Again, it is important to stress that these workers are under the close supervision of EPA officials. Furthermore, they are mature individuals with long histories of work comparable to work they would be performing for EPA. In other words, I believe they would be able to handle such information in a responsible way.

Mr. President, I have a statement from the Environmental Protection Agency to the effect that neither the Department of Justice nor the Office of Management and Budget have any problem with this legislation. I ask unanimous consent that this letter be placed in the RECORD after my remarks. I ask also that the text of the legislation appear in the RECORD after my remarks.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

U.S. ENVIRONMENTAL PROTECTION
AGENCY,

Washington, DC, May 29, 1990.

HON. CHARLES E. GRASSLEY,
U.S. Senate,
Washington, DC.

DEAR SENATOR GRASSLEY: This letter is to inform you that the office of Management and Budget has advised the U.S. Environmental Protection Agency (EPA) that there is no objection to the presentation of EPA's proposal cited as the "Environmental Programs Assistance Act Amendments of 1990" to Congress from the standpoint of the Administration's program.

We appreciate your continued interest in this matter.

Sincerely yours,

CHRISTOPHER P. HOFF,
Acting Director,
Legislative Analysis Division.

S. 3057

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "Environmental Programs Act of 1984 Amendments of 1990".

SEC. 2. AMENDMENTS TO THE ENVIRONMENTAL PROGRAMS ASSISTANCE ACT.

Section 2 of the Environmental Programs Assistance Act of 1984 (42 U.S.C. 4368a) is amended by adding at the end thereof the following new subsections:

"(d) For purposes of liability for damage, injury or death caused by the negligence or wrongful acts or omissions of an individual whose talents are authorized to be used by this section, the United States is liable for the damage, injury or death in accordance with the provisions of the Federal Tort Claims Act where the individual was acting in accordance with the directions of or under the supervision of an authorized Federal employee.

"(e) For purposes of access to trade secrets and confidential business information, any individual whose talents are authorized to be used by subsection (a) in connection with programs administered by the Administrator of the Environmental Protection Agency, including the Solid Waste Disposal Act (42 U.S.C. 6921(b)(3)(B)(ii)(II), 6927(b), and 6991d(b)); the Comprehensive Environmental Response, Compensation, and Liability Act (42 U.S.C. 9604(e)(2) and (e)(7); the

Clean Water Act (33 U.S.C. 1318(b) and 1369(a)(1)); the Clean Air Act (42 U.S.C. 7414(c), 7542(b), and 7607(a)(1)); and the Public Health Service Act (42 U.S.C. 300j-4(d)); shall be considered to be an authorized representative of the Administrator and the United States and eligible for such access. Such access shall be in accordance with United States Environmental Protection Agency regulations governing disclosure of confidential information to authorized representatives.

"(f) For purposes of access to trade secrets and confidential business information, any individual whose talents are authorized to be used by subsection (a) shall, while being utilized in connection with the Federal Insecticide, Fungicide, and Rodenticide Act (7 U.S.C. 136h(e), 136(f)(2), and 136j(a)(2)(D)); the Toxic Substances Control Act (15 U.S.C. 2613(a)(2) and (d)(2)); the Noise Control Act (42 U.S.C. 4912(b)); or under section 408(f) of the Federal Food, Drug and Cosmetic Act (21 U.S.C. 346a(f)); be considered to be authorized representative of the Administrator and the United States and eligible for such access."●

By Mr. MACK:

S. 3058. A bill for the relief of William L. Stuck, Glenn Jenkins, Charles L. Cavell, Alto C. Bowdoin, Jr., and Nathan J. Schnurman; to the Committee on the Judiciary.

CLAIM AGAINST THE UNITED STATES FOR GAS EFFECTS

● Mr. MACK. Mr. President, I rise today to introduce this legislation that will right a wrong done by the U.S. Government long ago. Believe it or not, in World War II, this country tested the effects of vesicating agents—mustard gas—on its own military members.

The Navy, under the guise of testing personal protective measures, had "volunteers" gassed. The Navy offered one week leave to sailors who volunteered for a special project. Once the men had stepped forward and reported for the project, they were sworn to secrecy and subjected to the testing program.

One test, called the manbreak test, was conducted to determine how long one could remain in a contaminated environment. The tests measured how long a man could stand exposure at toxic levels of gases before they were overcome. Another test exposed a man for a measured period of time to gas—regardless of his reaction and pleading for release from the chamber. Still another test required a man to remain in contaminated clothing for up to 24 hours to determine the effects on the body.

Once the exposure or series of exposures to gas were complete, the Navy did not conduct follow-up examinations at all. Rather, the test victims were released, given up to two weeks to recover and assigned to a new duty location.

The test victims were henceforth forgotten.

The oath of secrecy prohibited them from even telling medical people possi-

ble reasons for reactions they suffered as a result of their exposure to mustard gas. Reactions included severe burns of the nose and throat as well as on the entire body.

It was about 1984 when news of the tests began to appear in the press. Noticing this, victims began to make their plight known. I became aware of their problem while in the House of Representatives. Since that time Congressman PORTER GOSS has done considerable work on the problem including working with the Department of Veteran's Affairs and introducing relief legislation.

The Department of Veteran's Affairs has reopened the case, and has the individual cases under review. My recent intentions were to wait for the results of the review. I have just learned, however, that the Department wants the opinion of an outside expert on the effects of mustard gas. That review will take even more time.

Mr. President, these men have waited over 45 years. I feel it is time for action. Therefore I send this bill to the desk for consideration.

The bill provides compensation for the five known remaining victims of mustard gas testing. It represents a meager attempt on the part of the Government to compensate these men for the ruined health they have suffered throughout their lives for the sake of secret research.●

By Mr. DECONCINI (for himself and Mr. THURMOND):

S. 3059. A bill to amend title 28, United States Code, to authorize the appointment of additional bankruptcy judges; to the Committee on the Judiciary.

BANKRUPTCY JUDGES

● Mr. DECONCINI. Mr. President, I rise today to introduce legislation that will authorize the appointment of thirteen new bankruptcy judges. In assessing the need for new bankruptcy judgeships, the judiciary thoroughly reviews the requests made by each district in formulating its recommendation to the Congress. Significant effort is spent assessing each request to ensure that only those judgeships which are truly needed are recommended.

Statistical data regarding the requesting court's case load is analyzed, and special conditions in the district are taken into consideration. The complexity of the case load, travel requirements, and local conditions and trends are evaluated before a determination is made. Every district in this legislation has demonstrated a compelling need for additional bankruptcy judges.

States authorized for new bankruptcy judges by this amendment include three for Florida, two for Arizona, and one for Colorado, Georgia, Maryland, Pennsylvania, Puerto Rico, Tennessee,

South Carolina and Virginia. The justifications for these new bankruptcy judges is persuasive.

In 1989, Arizona ranked ninth out of the 94 districts for the total number of bankruptcy cases filed. It ranked first in the number of business reorganizations and second in the number of chapter 11 cases. Considering that Arizona is 25th among all the States in population, these numbers are significant.

The district of Arizona continues to experience recordbreaking growth in bankruptcy filings. From January to May 1990 there has been a 21-percent increase in the number of filings over 1988 figures for the same period. If this trend continues throughout the year, Arizona would rise to fifth or sixth in the U.S. for total filings.

At the beginning of 1990, the district of Arizona had 5,245 cases pending for each of the five existing judges; this includes 390 chapter 11 cases per judge. The huge increase in judicial workload warrants the creation of two new bankruptcy judges for Arizona.

In reviewing the justifications for the other States, I have found their needs are just as compelling. Therefore, I urge my colleagues to accept my bill to ensure that the demand for new bankruptcy judges is adequately met.

Mr. President, I ask unanimous consent that the full text of the bill be printed in the RECORD.

There being no objection, the bill was ordered to be printed in the RECORD, as follows:

S. 3059

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. ADDITIONAL BANKRUPTCY JUDGES.

Section 152(a)(2) of title 28, United States Code, is amended—

(1) in the item relating to the district of Arizona by striking out "5" and inserting in lieu thereof "7";

(2) in the item relating to the district of Colorado by striking out "5" and inserting in lieu thereof "6";

(3) in the item relating to the middle district of Florida by striking out "4" and inserting in lieu thereof "6";

(4) in the item relating to the southern district of Florida by striking out "3" and inserting in lieu thereof "4";

(5) in the item relating to the northern district of Georgia by striking out "6" and inserting in lieu thereof "7";

(6) in the item relating to the eastern district of Maryland by striking out "3" and inserting in lieu thereof "4";

(7) in the item relating to the eastern district of Pennsylvania by striking out "3" and inserting in lieu thereof "4";

(8) in the item relating to the district of Puerto Rico by striking out "2" and inserting in lieu thereof "3";

(9) in the item relating to the district of South Carolina by striking out "2" and inserting in lieu thereof "3";

(10) in the item relating to the middle district of Tennessee by striking out "2" and inserting in lieu thereof "3"; and

(11) in the item relating to the eastern district of Virginia by striking out "4" and inserting in lieu thereof "5".

ADDITIONAL COSPONSORS

S. 324

At the request of Mr. WIRTH, the names of the Senator from Alabama [Mr. SHELBY], and the Senator from Hawaii [Mr. AKAKA] were added as cosponsors of S. 324, a bill to establish a national energy policy to reduce global warming, and for other purposes.

S. 501

At the request of Mr. D'AMATO, the name of the Senator from Michigan [Mr. RIEGLE] was added as a cosponsor of S. 501, a bill to amend the Internal Revenue Code of 1986 to make permanent, and to increase the amount of, the exclusion for amounts received under qualified group legal services plans.

S. 685

At the request of Mr. METZENBAUM, the name of the Senator from Hawaii [Mr. AKAKA] was added as a cosponsor of S. 685, a bill to amend title I of the Employee Retirement Income Security Act of 1974 to clarify the applicability of rules relating to fiduciary duties in relation to plan assets of terminated pension plans and to provide for an explicit exception to such rules for employer reversions meeting certain requirements.

S. 1126

At the request of Mr. BUMPERS, the name of the Senator from South Dakota [Mr. PRESSLER] was added as a cosponsor of S. 1126, a bill to provide for the disposition of hardrock minerals on Federal lands, and for other purposes.

S. 1511

At the request of Mr. PRYOR, the name of the Senator from Colorado [Mr. WIRTH] was added as a cosponsor of S. 1511, a bill to amend the Age Discrimination in Employment Act of 1967 to clarify the protections given to older individuals in regard to employee benefit plans, and for other purposes.

At the request of Mr. METZENBAUM, the name of the Senator from Oregon [Mr. PACKWOOD] was added as a cosponsor of S. 1511, supra.

S. 1651

At the request of Mr. McCAIN, the name of the Senator from Ohio [Mr. GLENN] was added as a cosponsor of S. 1651, a bill to require the Secretary of the Treasury to mint coins in commemoration of the 50th anniversary of the United States Organization.

S. 2112

At the request of Mr. METZENBAUM, the name of the Senator from Hawaii [Mr. AKAKA] was added as a cosponsor of S. 2112, a bill to amend the National Labor Relations Act to prevent discrimination based on participation in labor disputes.

S. 2410

At the request of Mr. LEVIN, the name of the Senator from Connecticut [Mr. LIEBERMAN] was added as a cosponsor of S. 2410, a bill to amend the Internal Revenue Code of 1986 to prevent avoidance of tax by certain foreign-owned corporations and to impose a tax on dispositions of stock in domestic corporations by 10-percent foreign shareholders.

S. 2535

At the request of Mr. McCONNELL, the name of the Senator from Minnesota [Mr. DURENBERGER] was added as a cosponsor of S. 2535, a bill to provide for a comprehensive health care plan for all Americans, and for other purposes.

S. 2640

At the request of Mr. DASCHLE, the name of the Senator from Oregon [Mr. HATFIELD] was added as a cosponsor of S. 2640, a bill to amend title XVIII of the Social Security Act to prevent fraud and abuse and encourage competition in the sale of medicare supplemental insurance.

S. 2744

At the request of Mr. KASTEN, the name of the Senator from Pennsylvania [Mr. SPECTER] was added as a cosponsor of S. 2744, a bill to amend the Internal Revenue Code of 1986 to provide for a maximum long-term capital gains rate of 15 percent and indexing of certain capital assets, and for other purposes.

S. 2761

At the request of Mr. D'AMATO, the name of the Senator from Delaware [Mr. ROTH] was added as a cosponsor of S. 2761, a bill to deem certain interests to be reasonably incidental to the operation of a gas utility company for the purpose of the Public Utility Holding Company Act of 1965.

S. 2954

At the request of Mr. DODD, the names of the Senator from Hawaii [Mr. AKAKA], the Senator from California [Mr. CRANSTON], the Senator from Wisconsin [Mr. KOHL], the Senator from North Carolina [Mr. SANFORD], the Senator from Iowa [Mr. HARKIN], the Senator from Tennessee [Mr. SASSER], the Senator from Ohio [Mr. GLENN], and the Senator from New Jersey [Mr. BRADLEY] were added as cosponsors of S. 2954, a bill to place restrictions on United States assistance to El Salvador.

At the request of Mr. LEVIN, his name was added as a cosponsor of S. 2954, supra.

S. 2983

At the request of Mr. ROTH, the name of the Senator from South Dakota [Mr. DASCHLE] was added as a cosponsor of S. 2983, a bill to amend the Internal Revenue Code of 1986 to clarify the application of the passive foreign investment company rules, to

repeal the export trade corporation rules, and for other purposes.

S. 3030

At the request of Mr. HEFLIN, the names of the Senator from Georgia [Mr. FOWLER], the Senator from South Carolina [Mr. HOLLINGS], the Senator from Alabama [Mr. SHELBY], the Senator from South Carolina [Mr. THURMOND], the Senator from Arkansas [Mr. PRYOR], and the Senator from North Dakota [Mr. CONRAD] were added as cosponsors of S. 3030, a bill to provide disaster assistance for agricultural producers, and for other purposes.

S. 3033

At the request of Mr. PRYOR, the names of the Senator from Maryland [Mr. SARBANES], the Senator from Arizona [Mr. DECONCINI], the Senator from California [Mr. CRANSTON], the Senator from New Jersey [Mr. LAUTENBERG], the Senator from Washington [Mr. ADAMS], the Senator from North Dakota [Mr. CONRAD], and the Senator from Colorado [Mr. WIRTH] were added as cosponsors of S. 3033, a bill to amend title 39, United States Code, to allow free mailing privileges to be extended to members of the Armed Forces while engaged in temporary military operations under arduous circumstances.

S. 3035

At the request of Mr. LEVIN, his name was added as a cosponsor of S. 3035, a bill to protect the national security by prohibiting profiteering of essential commodities during periods of national emergency.

SENATE JOINT RESOLUTION 298

At the request of Mr. THURMOND, the name of the Senator from Delaware [Mr. ROTH] was added as a cosponsor of Senate Joint Resolution 298, a joint resolution to provide for the erection of a memorial in the Arlington National Cemetery to honor U.S. combat glider pilots of World War II.

SENATE JOINT RESOLUTION 329

At the request of Mr. KASTEN, the name of the Senator from North Carolina [Mr. HELMS] was added as a cosponsor of Senate Joint Resolution 329, a joint resolution to designate the week of June 17, 1990 through June 23, 1990, as "National Week to Commemorate the Victims of the Famine in Ukraine, 1932-1933," and to commemorate the Ukrainian famine of 1932-1933 and the policies of Russification to suppress Ukrainian identity.

SENATE JOINT RESOLUTION 340

At the request of Mr. WILSON, the name of the Senator from Tennessee [Mr. SASSER] was added as a cosponsor of Senate Joint Resolution 340, a joint resolution designating the week beginning November 11, 1990, as "National Disabled Veterans Week."

SENATE JOINT RESOLUTION 359

At the request of Mr. D'AMATO, the name of the Senator from Arizona

[Mr. DECONCINI] was added as a cosponsor of Senate Joint Resolution 359, a joint resolution designating the week beginning September 16, 1990, as "Emergency Medical Services Week."

SENATE CONCURRENT RESOLUTION 141

At the request of Mr. KENNEDY, the names of the Senator from Tennessee [Mr. GORE], the Senator from New Jersey [Mr. BRADLEY], and the Senator from Connecticut [Mr. LIEBERMAN] were added as cosponsors of Senate Concurrent Resolution 141, a concurrent resolution expressing the sense of the Congress regarding the deteriorating human rights situation in Kenya.

SENATE CONCURRENT RESOLUTION 146—RELATIVE TO PAYMENT OF OUR DEBT TO THE UNITED NATIONS

Mr. MOYNIHAN (for himself, Mr. PELL, and Mr. KERRY) submitted the following concurrent resolution; which was referred to the Committee on Foreign Relations:

S. CON. RES. 146

Whereas the United Nations Security Council has acted decisively to condemn Iraq's invasion of Kuwait;

Whereas the Security Council has authorized the use of sanctions against Iraq and authorized the use of force to enforce those sanctions;

Whereas the efforts of the Security Council and the unanimity of its actions have overwhelmingly demonstrated Iraq's isolation in the world community and prevented Saddam Hussein from portraying the crisis as simply a confrontation with the United States;

Whereas the President and the Secretary of State have repeatedly expressed their strong desire for the United States to fully pay its outstanding debt to the United Nations;

Whereas the United States is nonetheless in default on over \$670 million owed to the United Nations under legally binding commitments made with the full faith and credit of the United States;

Whereas the United States may spend over six billion dollars this year alone on its military forces in the Persian Gulf area;

Whereas the United States is seeking to have other nations help defray the cost of our military operations in the Persian Gulf and these efforts are hindered by the failure of the United States to pay its own legal obligations to the United Nations;

Whereas the United Nations will play a vital role in the post-Cold War era and the ability of the United States to play a leadership role within the United Nations will be significantly hindered by the existence of its unpaid debt: Now, therefore, be it

Resolved by the Senate (the House of Representatives concurring), That the United States should promptly pay its outstanding debt to the United Nations.

● Mr. MOYNIHAN. Mr. President, I rise today to note that the United States is today relying upon the United Nations as never before. The United Nations has performed magnificently—exactly as the authors of the Charter believed that it would 45 years ago. As President Bush has re-

peatedly said, we are truly on the brink of a new world order. It is, therefore, a supreme irony that the United States is, in the words of the Times, "The U.S.'s Biggest Deadbeat." We owe the United Nations system more than \$670 million. These are not voluntary contributions. Our debt is not something we said that we would try to pay if we could. The United States debt to the United Nations arose pursuant to solemn and legally binding commitments undertaken by the United States. The company we keep as the leading deadbeat is not inspiring. Other leading deadbeats are South Africa, Iran, and Libya.

This debt has a debilitating effect on our moral authority within the United Nations. When Security Council members leave the Council chamber they walk past the cracked walls, unwashed windows and leaking ceilings that are the tangible reminders of the U.S. default. While we cajole other members of the United Nations to help us shoulder the burden of confronting Saddam Hussein they know that we refuse to shoulder our full share of the expenses of the UN. The achievement of our diplomats in marshalling international support is all the more impressive considering this diplomatic millstone around their necks.

Mr. President, make no mistake. The world notices this hypocrisy. A headline in yesterday's Times read "As U.S. Warms to U.N., It Finds Unpaid Debts Embarrassing." A Financial Times headline on September 7, read, "Bush appeal fails to account for debts to UN." According to the Financial Times, Secretary General de Cuellar has been forced to bluntly remind members that the United Nations simply will not be able to play a constructive role in resolving conflicts around the globe if it cannot pay its bills.

On September 5, Secretary of State Baker appeared before the Committee on Foreign Relations. I asked him when, "Would you not say it is probably time we paid our dues to the U.N., because if we do not pretty soon we will lose our right to vote?" The Secretary's response was unequivocal:

Thank you. Thank you very much. We have a budget up here that asks for full funding of all our assessments to international organizations as well as all of our arrears. . . . We really should [pay]. You are absolutely right, Senator Moynihan. It really is outrageous that the United States is the only country in the world that can take the actions that we have just taken, and we are fortunate now in having the full support of the international community for these actions.

We do have the opportunity to look at the possibility of a new world order. We are faced with the first crisis of the post-Cold War era, and we are the biggest deadbeats in paying our dues to the United Nations. . . . It is outrageous. If I may say so, we

ought to have the President's budget request funded regardless of what it takes.

I could not agree more. The time has come to pay this debt. The sum is paltry compared to the vast sums that we are committing to the military defense of Saudi Arabia, a defense which would have a completely different appearance—and would in fact be greatly different—were it not for the unanimous support our efforts have received from the Security Council.

I am introducing today, with the support of Senators PELL and KERRY, a resolution expressing the sense of the Congress that the time has come to pay our overdue debt. I urge my colleagues to adopt this resolution. The merits of working through the United Nations has become self-evident in the past six weeks. It is in our own self-interest to see that this debt is paid.

Mr. President, I offer my resolution and ask unanimous consent, that the articles that I have mentioned be printed in the RECORD.

There being no objection, the letters were ordered to be printed in the RECORD, as follows:

[From the New York Times, Sept. 11, 1990]

THE UNITED NATIONS BIGGEST DEADBEAT

Nobody seriously questions that a united United Nations has performed impressively in the Persian Gulf crisis. Its unanimous resolutions have provided legal and political armor for a collective response to Iraq's aggressions. By working with the U.N. President Bush has been able to mobilize Soviet and Arab support for sanctions, and Security Council approval for use of force to seal the embargo. Yet if the U.N. has risen to the occasion, in a critical respect the U.S. has not: it is still the world's outstanding delinquent on U.N. dues.

The figures are an embarrassment. The United States currently owes \$520 million in regular assessments plus \$150 million for special peacekeeping costs. Other members in default on regular dues are South Africa (\$40 million), Brazil (\$17 million), Iran (\$12 million), Argentina (\$10 million) and Libya (\$5 million).

This humiliating American delinquency has a political explanation. In the Reagan years, conservatives faulted the U.N., often justly, for its doublestandard tolerance of third-world abuses and its reflexive hostility to Israel. Eager to cut an unpopular expenditure, Congress followed suit by halving payment of regular dues, pending a Presidential finding that the U.N. had reformed its profligate budgetary procedures.

This pressure from the U.S. worked. The U.N. instituted fiscal reforms. As the cold war ebbed, General Assembly majorities ceased to be predictably hostile to American views. By October 1988, an outgoing President Reagan warmly praised the U.N. and promised payment of past assessments. An incoming George Bush reaffirmed the pledge. But Congress last year failed to approve his request for full payment over five years of all past dues plus full funding of current assessments.

As the struggle in the gulf continues, so does the struggle in Congress. Mr. Bush has repeated his request; the House has creditably approved it; the Senate has negligently failed to act. Even so, a conference committee could make amends by approving the

House action. Doing so would honor a moral and legal obligation at a critical moment for the U.N. Continued delinquency would shabbily reward the world organization's performance and absurdly mock American appeals for equitable burden-sharing by its members.

[From the New York Times, Sept. 13, 1990]
AS UNITED STATES WARMS TO UNITED NATIONS,
IT FINDS UNPAID DEBTS EMBARRASSING
(By Elaine Sciolino)

WASHINGTON, September 12—At a time when President Bush is using the United Nations as the anchor for international sanctions against Iraq, the United States finds itself in the somewhat embarrassing position of being in substantial debt to the organization.

The President, who on Tuesday night said, "We're now in sight of a United Nations that performs as envisioned by its founders" has asked Congress, however, to approve a major contribution to the United Nations, which would reduce by more than half the substantial American debt built up over the years.

But even though the White House request has passed the House, there still is doubt that it will be approved by the Congress as a whole.

According to United Nations figures, the United States currently owes about \$750 million—about \$320 million for the current regular budget and individual peace-keeping accounts and about \$430 million in past debts.

The Bush Administration has asked Congress to approve a \$700 million package that includes full payment of Washington's 1990 dues, plus installments to cover the old debt to be paid out over five years.

The United States does not recognize the validity of about \$70 million of its United Nations debt. Over more than a decade, Washington has consistently withheld what are known as "legislative and policy withholdings" arising out of such disputes as the tax liabilities of American citizens working for the United Nations and support for activities related to the Palestine Liberation Organization.

As testimony to the rising status of the United Nations in Congress, the House has already passed a bill approving the first year of the White House plan. In an initial action by a Senate subcommittee today, the Senate went along with the House decision.

SENATE PROSPECTS QUESTIONED

But passage of the bill is by no means a sure thing, according to some lawmakers. "Now there's a large question of whether it can survive on the floor of the Senate," said Senator Warren B. Rudman, Republican of New Hampshire. "That I can't answer."

If the Congress gives the President everything he asked for, the United States would turn over about \$410 million to the United Nations this year, which will leave a debt of about \$340 million, according to the United Nations.

That figure does not include debts to specialized United Nations agencies such as the World Health Organization or the Food and Agriculture Organization.

Some of Washington's closest allies find the American debt particularly annoying in light of the Administration's appeals for more sharing of the financial burden of the Persian Gulf crisis.

Mr. Bush and his aides have portrayed the White House as a responsible party committed to paying all its debts, and thrown the

responsibility on Congress. Even the harshest critics of Washington's unwillingness to pay acknowledge that the President's plan represents the most generous proposal for the United Nations in years.

In remarks before the Senate Foreign Relations Committee last week, Secretary of State James A. Baker 3d said that as the world is faced with the first post-Cold War crisis, "We're the biggest deadbeats in paying, our dues to the United Nations." He called the situation "outrageous" and urged Congress to approve the President's budget request, "regardless of what it takes."

Payment of the past debt is by no means automatic. The White House has stated that the payments depend on whether the Administration and the United Nations agree on how the money should be used.

"You can't just talk about paying dues," said Alan Gerson, counsel to Jeane J. Kirkpatrick and Vernon A. Walters, former American chief delegates to the United Nations, and author of a forthcoming book on Washington's relationship with the United Nations. "You have to understand the monies that have been withheld and why. One category strictly financial and fiscal under Gramm-Rudman-Hollings, a second is linked to financial reform at the United Nations and a third is because we thought their expenses were illegitimate."

[From the Financial Times, Sept. 7, 1990]

BUSH APPEAL FAILS TO ACCOUNT FOR DEBTS TO UN

(By Michael Littlejohns in New York)

President George Bush's appeal to America's allies to share the financial burden of the Middle East military build-up has conveniently ignored the large sums still owed by the US for United Nations peacekeeping operations in the region. The US has also accumulated the biggest debt to the regular UN budget for day-to-day expenditures.

Notwithstanding promises by former President Ronald Reagan and Mr. Bush to pay off arrears, the latest UN status of contributions report shows that the US owes a total of \$522m for the budget this year, and for previous years when it failed to meet its obligations in full. Among the assessments of the 160 member governments, that of the 25 per cent contribution of the US is the largest.

The US is supposed to provide 25 per cent of the UN budget, more than any other of the 160 UN members.

Only 60 members have paid their full dues this year, including all the west Europeans many of which made their contributions ahead of time in order to ease the financial difficulties faced by the world body. Regular budget shortfalls amounted to \$661m. This compares with a 1990 budget of \$827m.

Peacekeeping accounts are kept separately. Both the US and the Soviet Union are heavily in debt to the UN operation in Lebanon—\$132m and \$119m respectively—and Washington still owes \$24m of the \$30m arrears for the UN transition assistance group which brought Namibia to independence from South Africa.

As members talk blithely of an estimated \$3bn-\$5bn bill for future UN involvement in Cambodia, not to mention possible peace-keeping commitments in the Gulf, Western Sahara and Central America, the Secretary General, Mr. Javier Peres de Cuellar, has rung an alarm bell.

At a press conference in Geneva recently, he asked bluntly where the money would come from. How could the UN embark on

such operations with inadequate resources? An aide said later that Mr. Peres de Cuellar was warning that he would insist in future that member states contribute cash "up front" for peacekeeping.

The fabric of the UN headquarters, one of the world's most recognizable landmarks, shows the effects of years of neglect necessitated by budgetary constraints.

Near the Security Council Chamber—where five critical Gulf resolutions were approved in little more than three weeks—pails to collect water from leaky ceilings are a common sight after rainstorms.

When walls develop cracks from subsidence in the 40-storey UN edifice, they are often neither patched nor repainted.

Windows and glass doors that used to be washed regularly are grimy and finger-marked. Broken chairs and tables in the delegates' lounges await repair; lavatories often lack soap and toilet paper and water is wasted from taps with worn out washers.

Despite all the problems, morale at the UN appears to be higher than in past years, in part because many feel the organization may at last be moving in the aftermath of the Cold War to the central role in international affairs that the authors of the Charter foresaw.●

SENATE RESOLUTION 324—RELATIVE TO THE 30TH ANNIVERSARY OF THE INDEPENDENCE OF CYPRUS

Mr. PELL, from the Committee on Foreign Relations, reported the following original resolution; which was placed on the calendar:

S. RES. 324

Whereas on October 1, 1990, the Republic of Cyprus will mark the thirtieth anniversary of its independence;

Whereas the United States strongly supports the resumption of meaningful U.N.-sponsored talks aimed at reaching a just and lasting solution to the Cyprus problem in accordance with relevant U.N. resolutions and decisions: Now, therefore, be it

Resolved, That—

The Senate hereby congratulates President Vassiliou, the government, and the people of Cyprus on the thirtieth anniversary of independence; and

It is the sense of the Senate that the United States continue its strong support of the U.N. Secretary General in his efforts to resolve the Cyprus problem.

AMENDMENTS SUBMITTED

MOTOR VEHICLE FUEL EFFICIENCY ACT

SIMON AMENDMENT NO. 2664

(Ordered to lie on the table.)

Mr. SIMON submitted an amendment intended to be proposed by him to the bill (S. 1224) to amend the Motor Vehicle Information and Cost Savings Act to require new standards for corporate average fuel economy, and for other purposes, as follows:

On page 34, between lines 16 and 17, insert the following:

TERMINATED WORKERS

SEC. 15. (a) This section may be cited as the "Relief for Terminated Workers Act".

(b) Not later than 180 days after the date of the enactment of this Act, the Secretary of Labor shall, by regulation, establish for eligible terminated employees—

(1) a program of readjustment allowances substantially similar to the trade readjustment allowance program under part I of subchapter B of chapter 2 of title II of the Trade Act of 1974 (19 U.S.C. 2291 et seq.), and

(2) a program for job training and related services substantially similar to the program under part II of subchapter B of chapter 2 of title II of such Act (19 U.S.C. § 2295 and 2296), and

(3) a program for job search and relocation allowances substantially similar to the program under part III of subchapter B of chapter 2 of title II of such Act (19 U.S.C. § 2297 and 2298).

(c) The Secretary is authorized to enter into agreements with any State to assist in carrying out the programs under subsection (b) in the same manner as under subchapter C of chapter 2 of title II of the Trade Act of 1974 (19 U.S.C. 2311 et seq.).

(d) For purposes of this section, the term "eligible terminated employees" means any individual who is a member of a group of workers engaged in the production of motor vehicles in the United States or related industries that the Secretary of Labor certifies, under the procedures described in subchapter A of chapter 2 of title II of the Trade Act of 1974, as eligible to apply for assistance under this section because the Secretary determines that—

(1) a significant number or proportion of the workers in such workers' firm or an appropriate subdivision of the firm have become totally or partially separated, or are threatened to become totally or partially separated;

(2) the sales or production, or both, of such firm or subdivision have decreased absolutely; and

(3) compliance with the provisions of the Motor Vehicle Fuel Efficiency Act of 1990 were the primary cause of such total or partial separation, or threat thereof, and to such decline in sales or production.

(e) There is authorized to be appropriated for fiscal year 1991, and each of the next following 4 fiscal years, such sums as may be necessary, but not in excess of \$50,000,000 for any such fiscal year, to carry out the provisions of this section. Such sums shall remain available until expended.

(f) No application for benefits under this section may be filed after the expiration of the 48 month period following the date of the enactment of this Act.

On page 34, line 18, strike out "15" and insert in lieu thereof "16".

● Mr. SIMON. Mr. President, I rise for the purpose of informing my colleagues that when the Senate takes up S. 1224, the Motor Vehicle Fuel Efficiency Act, I intend to offer an amendment to assist autoworkers who may lose their jobs because of that legislation.

The invasion of Kuwait has, at long last, focused our attention on our energy needs and our extreme dependence on foreign oil. Energy independence ought to be our goal and increased automobile fuel economy is an important part of the solution. There

are other components as well, including the development and use of alternative fuels like ethanol, and a greater reliance on public transportation.

Mr. President, I support efforts to make our economy more fuel efficient. The United States produces 4 percent of the world's total industrial output but consumes 30 percent of the world's oil. We ought to be more fuel efficient throughout our society for a variety of economic and environmental reasons. We need to recognize, however, that in the short run, efforts like the CAFE bill will cause some economic dislocation and job loss. S. 1224 may lead to the closing of plants that currently produce larger cars and I want to provide some assistance to workers who are laid off as a result of this legislation. I will offer an amendment to give autoworkers who are displaced by CAFE legislation benefits on a par with trade adjustment assistance for a 5-year period.

My amendment would offer displaced autoworkers an additional 6 months of unemployment compensation and up to 2 years of training. This is a limited amendment to provide transition help for autoworkers. It is not an open-ended entitlement. Spending is capped at \$250 million and the program expires after 5 years.

Mr. President, thousands of autoworkers will potentially be hurt by the CAFE legislation. In my own State of Illinois, 4,000 workers are employed at the Chrysler Belvedere plant which makes the Chrysler New Yorker, a larger car with an uncertain future under stronger fuel efficiency standards, 2,980 people are employed at the Ford assembly plant in Chicago which manufactures midsize cars. I'm not predicting that these plants will close, but there will likely be an impact. American automakers will have to adapt to the higher CAFE standard, and in the transition period jobs may be lost.

We live in an increasingly complex international economy. Autoworkers can not move into new jobs in new industries without adequate job training. We have an obligation to provide that and I hope that my colleagues understand that and will support my amendment.●

DECEPTIVE MAILINGS PROTECTION ACT

PRYOR (AND OTHERS) AMENDMENT NO. 2665

(Ordered to lie on the table.)

Mr. PRYOR (for himself, Mr. GLENN, Mr. LIEBERMAN, and Mr. KOHL) submitted an amendment intended to be proposed by them to the bill (S. 273) to amend title 39, United States Code, to designate as nonmailable

matter solicitations of donations which could reasonably be misconstrued as a bill, invoice, or statement of account due, solicitations for the purchase of products or services which are provided either free of charge or at a lower price by the Federal Government connection or endorsement, unless such matter contains an appropriate, conspicuous disclaimer, and for other purposes, as follows:

On page 8, line 17, insert "information or" before "the contribution".

On page 11, strike out lines 13 through 16 and insert in lieu thereof:

SEC. 5. STATE DEPARTMENT POST OFFICES ABROAD.

(a) POSTAL SERVICES AT DIPLOMATIC POSTS.—Chapter 4 of title 39, United States Code, is amended by adding at the end thereof the following new section:

"§ 413. Postal services at diplomatic posts

"(a) The Postal Service and the Department of State may enter into 1 or more agreements for field testing to ascertain the feasibility of providing postal services through personnel provided by the Department of State at branch post offices established by the Postal Service in United States diplomatic missions at locations abroad for which branch post offices are not established under section 406.

"(b) To the extent that the Postal Service and the Department of State conclude it to be feasible and in the public interest, the Postal Service may establish branch post offices at United States diplomatic missions in locations abroad for which branch post offices are not established under section 406, and the Department of State may enter into an agreement with the Postal Service to perform postal services at such branch post offices through personnel designated by the Department of State.

"(c) The Department of State shall reimburse the Postal Service for any amounts, determined by the Postal Service, equal to the additional costs incurred by the Postal Service, including transportation costs, incurred by the Postal Service in the performance of its obligations under any agreement entered into under this section.

"(d) Each agreement entered into under this section shall include—

"(1) provisions under which the Department of State shall make any reimbursements required under subsection (c);

"(2) provisions authorizing the Postal Service to terminate the agreement, and the services provided thereunder, in the event that the Department of State does not comply with the provisions under paragraph (1); and

"(3) any other provisions which may be necessary, including provisions relating to the closing of a post office under this section if necessary because a post office under section 406 is established in the same location."

(b) TECHNICAL AND CONFORMING AMENDMENT.—The table of sections for chapter 4 of title 39, United States Code, is amended by adding at the end thereof the following:

"413. Postal services at diplomatic posts."

SEC. 6. EFFECTIVE DATE.

The provisions of this Act shall take effect on the date of the enactment of this Act, except the amendments made by section 2 shall apply to matter deposited for mailing and delivery on or after 180 days after the date of the enactment of this Act.

OLDER WORKERS BENEFIT PROTECTION ACT

PRYOR (AND OTHERS)
AMENDMENT NO. 2666

(Ordered to lie on the table.)

Mr. PRYOR (for himself, Mr. HEINZ, Mr. METZENBAUM, and Mr. JEFFORDS) submitted an amendment intended to be proposed to the bill (S. 1511) to amend the Age Discrimination in Employment Act of 1967 to clarify the protections given to older individuals in regard to employee benefit plans, and for other purposes, as follows:

In lieu of the matter proposed to be inserted, insert the following:

SECTION 1. SHORT TITLE.

This Act may be cited as the "Older Workers Benefit Protection Act".

TITLE I—OLDER WORKERS BENEFIT PROTECTION

SEC. 101. FINDING.

The Congress finds that, as a result of the decision of the Supreme Court in *Public Employees Retirement System of Ohio v. Betts*, 109 S.Ct. 256 (1989), legislative action is necessary to restore the original congressional intent in passing and amending the Age Discrimination in Employment Act of 1967 (29 U.S.C. 621 et seq.), which was to prohibit discrimination against older workers in all employee benefits except when age-based reductions in employee benefit plans are justified by significant cost considerations.

SEC. 102. DEFINITION.

Section 11 of the Age Discrimination in Employment Act of 1967 (29 U.S.C. 630) is amended by adding at the end the following new subsection:

"(1) The term 'compensation, terms, conditions, or privileges of employment' encompasses all employee benefits, including such benefits provided pursuant to a bona fide employee benefit plan."

SEC. 103. LAWFUL EMPLOYMENT PRACTICES.

Section 4 of the Age Discrimination in Employment Act of 1967 (29 U.S.C. 623) is amended—

(1) by striking subsection (f) and inserting the following new subsection:

"(f) It shall not be unlawful for an employer, employment agency, or labor organization to take any action otherwise prohibited under subsection (a), (b), (c), or (e)—

"(1) where age is a bona fide occupational qualification reasonably necessary to the normal operation of the particular business, or where the differentiation is based on reasonable factors other than age, or where such practices involve an employee in a workplace in a foreign country, and compliance with such subsections would cause such employer, or a corporation controlled by such employer, to violate the laws of the country in which such workplace is located;

"(2)(A) to observe the terms of a bona fide seniority system that is not intended to evade the purposes of this Act, except that no such seniority system shall require or permit the involuntary retirement of any individual specified by section 12(a) because of the age of such individual; or

"(B) to observe the terms of a bona fide employee benefit plan—

"(i) where, for each benefit or benefit package, the actual amount of payment made or cost incurred on behalf of an older individual is no less than that made or in-

curred on behalf of a younger individual, as permissible under section 1625.10, title 29, Code of Federal Regulations (as in effect on June 22, 1989); or

"(ii) that is a voluntary early retirement incentive plan consistent with the purposes of this Act,

except that no such employee benefit plan or voluntary early retirement incentive plan shall excuse the failure to hire any individual, and no such employee benefit plan shall require or permit the involuntary retirement of any individual specified by section 12(a), because of the age of such individual; and

"(3) to discharge or otherwise discipline an individual for good cause.

An employer, employment agency, or labor organization acting under paragraph (1) or (2) shall have the burden of proving that such actions are lawful in any civil enforcement proceeding brought under this Act."

(2) by redesignating the second subsection (i) as subsection (j); and

(3) by adding at the end the following new subsections:

"(k) A seniority system or employee benefit plan shall comply with this Act regardless of the date of adoption of such system or plan.

"(l) Notwithstanding clause (i) or (ii) of subsection (f)(2)(B)—

"(1) It shall not be a violation of subsection (a), (b), (c), or (e) solely because—

"(A) an employee pension benefit plan (as defined in section 3(2) of the Employee Retirement Income Security Act of 1974 (29 U.S.C. 1002(2))) provides for the attainment of a minimum age as a condition of eligibility for normal or early retirement benefits; or

"(B) a defined benefit plan (as defined in section 3(35) of such Act) provides for—

"(i) payments that constitute the subsidized portion of an early retirement benefit; or

"(ii) social security supplements for plan participants that commence before the age and terminate at the age (specified by the plan) when participants are eligible to receive reduced or unreduced old-age insurance benefits under title II of the Social Security Act (42 U.S.C. 401 et seq.), and that do not exceed such old-age insurance benefits.

"(2)(A) It shall not be a violation of subsection (a), (b), (c), or (e) solely because following a contingent event unrelated to age—

"(i) the value of any retiree health benefits received by an individual eligible for an immediate pension; and

"(ii) in any case in which retiree health benefits as described in clause (i) are provided, the value of any additional pension benefits that are made available solely as a result of the contingent event unrelated to age and that make the individual eligible for not less than an immediate and unreduced pension.

are deducted from severance pay made available as a result of the contingent event unrelated to age.

"(B) For an individual who receives immediate pension benefits that are actuarially reduced under subparagraph (A)(i), the amount of the deduction available pursuant to subparagraph (A)(i) shall be reduced by the same percentage as the reduction in the pension benefits.

"(C) For purposes of this paragraph, severance pay shall include that portion of supplemental unemployment compensation benefits (as described in section 501(c)(17)

of the Internal Revenue Code of 1986) that—

"(i) constitutes additional benefits of up to 52 weeks;

"(ii) has the primary purpose and effect of continuing benefits until an individual becomes eligible for an immediate and unreduced pension; and

"(iii) is discontinued once the individual becomes eligible for an immediate and unreduced pension.

"(D) For purposes of this paragraph, the term 'retiree health benefits' means benefits provided pursuant to a group health plan covering retirees, for which (determined as of the contingent event unrelated to age)—

"(i) the package of benefits provided by the employer for the retirees who are below age 65 is at least comparable to benefits provided under title XVIII of the Social Security Act (42 U.S.C. 1395 et seq.); and

"(ii) the package of benefits provided by the employer for the retirees who are age 65 and above is at least comparable to that offered under a plan that provides a benefit package with one-fourth the value of benefits provided under title XVIII of such Act.

"(E)(i) If the obligation of the employer to provide retiree health benefits is of limited duration, the value for each individual shall be calculated at a rate of \$3,000 per year for benefit years before age 65, and \$750 per year for benefit years beginning at age 65 and above.

"(ii) If the obligation of the employer to provide retiree health benefits is of unlimited duration, the value for each individual shall be calculated at a rate of \$48,000 for individuals below age 65, and \$24,000 for individuals age 65 and above.

"(iii) The values described in clauses (i) and (ii) shall be calculated based on the age of the individual as of the date of the contingent event unrelated to age. The values are effective on the date of enactment of this subsection, and shall be adjusted on an annual basis, with respect to a contingent event that occurs subsequent to the first year after the date of enactment of this subsection, based on the medical component of the Consumer Price Index for all-urban consumers published by the Department of Labor.

"(iv) If an individual is required to pay a premium for retiree health benefits, the value calculated pursuant to this subparagraph shall be reduced by whatever percentage of the overall premium the individual is required to pay.

"(F) If an employer that has implemented a deduction pursuant to subparagraph (A) fails to fulfill the obligation described in subparagraph (E), any aggrieved individual may bring an action for specific performance of the obligation described in subparagraph (E). The relief shall be in addition to any other remedies provided under Federal or State law.

"(3) It shall not be a violation of subsection (a), (b), (c), or (e) solely because an employer provides a bona fide employee benefit plan or plans under which long-term disability benefits received by an individual are reduced by any pension benefits paid to the individual that the individual voluntarily elects to receive."

SEC. 104. RULES AND REGULATIONS.

Notwithstanding section 9 of the Age Discrimination in Employment Act of 1967 (29 U.S.C. 628), the Equal Employment Opportunity Commission may issue such rules and regulations as the Commission may consider necessary or appropriate for carrying out

this title, and the amendments made by this title, only after consultation with the Secretary of the Treasury and the Secretary of Labor.

SEC. 105. EFFECTIVE DATE.

(a) IN GENERAL.—Except as otherwise provided in this section, this title and the amendments made by this title shall apply only to—

(1) any employee benefit established or modified on or after the date of enactment of this Act; and

(2) other conduct occurring more than 60 days after the date of enactment of this Act.

(b) COLLECTIVELY BARGAINED AGREEMENTS.—With respect to any employee benefits provided in accordance with a collective bargaining agreement—

(1) that is in effect as of the date of enactment of this Act;

(2) that terminates after such date of enactment;

(3) any provision of which was entered into by a labor organization (as defined by section 6(d)(4) of the Fair Labor Standards Act of 1938 (29 U.S.C. 206(d)(4))); and

(4) that contains any provision that would be superseded (in whole or part) by this title and the amendments made by this title, but for the operation of this section,

this title and the amendments made by this title shall not apply until the termination of such collective bargaining agreement or June 1, 1992, whichever occurs first.

(c) STATES AND POLITICAL SUBDIVISIONS.—

(1) IN GENERAL.—With respect to any employee benefits provided by an employer—

(A) that is a State or political subdivision of a State or any agency or instrumentality of a State or political subdivision of a State; and

(B) that maintained an employee benefit plan at any time between June 23, 1989, and the date of enactment of this Act that would be superseded (in whole or part) by this title and the amendments made by this title but for the operation of this subsection, and which plan may be modified only through a change in applicable State or local law,

this title and the amendments made by this title shall not apply until the date that is 2 years after the date of enactment of this Act.

(2) ELECTION OF DISABILITY COVERAGE FOR EMPLOYEES HIRED PRIOR TO EFFECTIVE DATE.—

(A) IN GENERAL.—An employer that maintains a plan described in paragraph (1)(B) may, with regard to disability benefits provided pursuant to such a plan—

(i) following reasonable notice to all employees, establish new disability benefits that satisfy the requirements of the Age Discrimination in Employment Act of 1967 (as amended by this title); and

(ii) then offer to each employee covered by a plan described in paragraph (1)(B) the option to elect such new disability benefits in lieu of the existing disability benefits, if—

(I) the offer is made and reasonable notice provided no later than the date that is 2 years after the date of enactment of this Act; and

(II) the employee is given up to 180 days after the offer in which to make the election.

(B) PREVIOUS DISABILITY BENEFITS.—If the employee does not elect to be covered by the new disability benefits, the employer may continue to cover the employee under the previous disability benefits even though such previous benefits do not otherwise satisfy the requirements of the Age Discrimi-

nation in Employment Act of 1967 (as amended by this title).

(C) ABROGATION OF RIGHT TO RECEIVE BENEFITS.—An election of coverage under the new disability benefits shall abrogate any right the electing employee may have had to receive existing disability benefits. The employee shall maintain any years of service accumulated for purposes of determining eligibility for the new benefits.

(3) STATE ASSISTANCE.—The Equal Employment Opportunity Commission, the Secretary of Labor, and the Secretary of the Treasury shall, on request, provide to States assistance in identifying and securing independent technical advice to assist in complying with this subsection.

(4) DEFINITIONS.—For purposes of this subsection:

(A) EMPLOYER AND STATE.—The terms "employer" and "State" shall have the respective meanings provided such terms under subsections (b) and (i) of section 11 of the Age Discrimination in Employment Act of 1967 (29 U.S.C. 630).

(B) DISABILITY BENEFITS.—The term "disability benefits" means any program for employees of a State or political subdivision of a State that provides long-term disability benefits, whether on an insured basis in a separate employee benefit plan or as part of an employee pension benefit plan.

(C) REASONABLE NOTICE.—The term "reasonable notice" means, with respect to notice of new disability benefits described in paragraph (2)(A) that is given to each employee, notice that—

(i) is sufficiently accurate and comprehensive to appraise the employee of the terms and conditions of the disability benefits, including whether the employee is immediately eligible for such benefits; and

(ii) is written in a manner calculated to be understood by the average employee eligible to participate.

(d) DISCRIMINATION IN EMPLOYEE PENSION BENEFIT PLANS.—Nothing in this title, or the amendments made by this title, shall be construed as limiting the prohibitions against discrimination that are set forth in section 4(j) of the Age Discrimination and Employment Act of 1967 (as redesignated by section 103(2) of this Act).

TITLE II—WAIVER OF RIGHTS OR CLAIMS

SEC. 201. WAIVER OF RIGHTS OR CLAIMS.

Section 7 of the Age Discrimination and Employment Act of 1967 (29 U.S.C. 626) is amended by adding at the end the following new subsection:

"(f)(1) An individual may not waive any right or claim under this Act unless the waiver is knowing and voluntary. Except as provided in paragraph (2), a waiver may not be considered knowing and voluntary unless at a minimum—

"(A) the waiver is part of an agreement between the individual and the employer that is written in a manner calculated to be understood by such individual, or by the average individual eligible to participate;

"(B) the waiver specifically refers to rights or claims arising under this Act;

"(C) the individual does not waive rights or claims that may arise after the date the waiver is executed;

"(D) the individual waives rights or claims only in exchange for consideration in addition to anything of value to which the individual already is entitled;

"(E) the individual is advised in writing to consult with an attorney prior to executing the agreement;

"(F)(i) the individual is given a period of at least 21 days within which to consider the agreement; or

"(ii) if a waiver is requested in connection with an exit incentive or other employment termination program offered to a group or class of employees, the individual is given a period of at least 45 days within which to consider the agreement;

"(G) the agreement provides that for a period of at least 7 days following the execution of such agreement, the individual may revoke the agreement, and the agreement shall not become effective or enforceable until the revocation period has expired;

"(H) if a waiver is requested in connection with an exit incentive or other employment termination program offered to a group or class of employees, the employer (at the commencement of the period specified in subparagraph (F)) informs the individual in writing in a manner calculated to be understood by the average individual eligible to participate, as to—

"(i) any class, unit, or group of individuals covered by such program, any eligibility factors for such program, and any time limits applicable to such program; and

"(ii) the job titles and ages of all individuals eligible or selected for the program, and the ages of all individuals in the same job classification or organizational unit who are not eligible or selected for the program.

"(2) A waiver in settlement of a charge filed with the Equal Employment Opportunity Commission, or an action filed in court by the individual or the individual's representative, alleging age discrimination of a kind prohibited under section 4 or 15 may not be considered knowing and voluntary unless at a minimum—

"(A) subparagraphs (A) through (E) of paragraph (1) have been met; and

"(B) the individual is given a reasonable period of time within which to consider the settlement agreement.

"(3) In any dispute that may arise over whether any of the requirements, conditions, and circumstances set forth in paragraph (1) or (2) have been met, the party asserting the validity of a waiver shall have the burden of proving in a court of competent jurisdiction that a waiver was knowing and voluntary pursuant to paragraph (1) or (2).

"(4) No waiver agreement may affect the Commission's rights and responsibilities to enforce this Act. No waiver may be used to justify interfering with the protected right of an employee to file a charge or participate in an investigation or proceeding conducted by the Commission."

SEC. 202. EFFECTIVE DATE.

(a) IN GENERAL.—The amendment made by section 201 shall not apply with respect to waivers that occur before the date of enactment of this Act.

(b) RULE ON WAIVERS.—Effective on the date of enactment of this Act, the rule on waivers issued by the Equal Employment Opportunity Commission and contained in section 1627.16(c) of title 29, Code of Federal Regulations, shall have no force and effect.

TITLE III—SEVERABILITY

SEC. 301. SEVERABILITY.

If any provision of this Act, or an amendment made by this Act, or the application of such provision to any person or circumstances is held to be invalid, the remainder of this Act and the amendments made by this Act, and the application of such provision to other persons and circumstances, shall not be affected thereby.

Mr. PRYOR. Mr. President, I want to report to our colleagues on our hope and plan for beginning debate early next week regarding S. 1511, the Older Workers Benefit Protection Act. My colleagues and I are working with our colleague from Utah, Senator HATCH, in an attempt to get the substitute amendment voluntarily adopted as original text. That change will allow Senators to propose amendments in two degrees, which should enable us to move the bill along at a steady pace.

I also want to advise my colleagues on two minor changes which Senators METZENBAUM, HEINZ, JEFFORDS and I plan to include as part of the substitute when we begin debate. Both provisions relate to the section regarding special treatment for the States.

First, we are making a technical adjustment in the provision allowing States to offer current employees a choice in employee benefits. The States that have identified a need to make changes, such as Ohio, Maine, and others, have focused on age-based restrictions on eligibility for disability. That was the issue in the Betts case before the Supreme Court. That was the issue identified by other States in their brief to the Supreme Court and in later cost estimates. But as printed in the RECORD on Wednesday, our substitute could be read as permitting, or even inviting, States to rewrite their entire pension systems. This was not our intent. Accordingly, we have modified section 105(c)(2) of the substitute to clarify that the choice given to current employees is between the existing program of disability benefits and whatever new program of disability benefits the State decides to offer. We would add that Senators MITCHELL and COHEN, whose staffs were very interested in having us include a choice of benefits option for the States, concur fully with this change as consistent with their intent.

Our second minor change is to provide a mechanism by which states may secure independent technical advice to assist them in complying with the new law. Some States have indicated a lack of familiarity with actuarial practices that are well-established in the private sector. Accordingly, we direct the EEOC, and the Secretary of Labor and Secretary of the Treasury, to respond to individual State requests by helping to identify and secure private sector technical assistance.●

NOTICES OF HEARINGS

SUBCOMMITTEE ON MINERAL RESOURCES DEVELOPMENT AND PRODUCTION

Mr. BINGAMAN. Mr. President, I would like to announce for the public that a hearing has been scheduled before the Mineral Resources Development and Production Subcommittee of the Committee on Energy and Natural Resources.

The hearing will take place on Friday, September 21, 1990, at 9:30 a.m. in room 366 of the Dirksen Senate Office Building in Washington, DC.

The purpose of the hearing is to receive testimony concerning S. 4111, the Strategic and Critical Minerals Act of 1990.

Those wishing to submit written statements for the hearing record should deliver them to the U.S. Senate Committee on Energy and Natural Resources, 364 Dirksen Senate Office Building, Washington, DC 20510. For further information, please contact Lisa Vehmas of the subcommittee staff at (202) 224-7555.

AUTHORITY FOR COMMITTEES TO MEET

COMMITTEE ON BANKING, HOUSING, AND URBAN AFFAIRS

Mr. BRADLEY. Mr. President, I ask unanimous consent that the Committee on Banking, Housing, and Urban Affairs be allowed to meet during the session of the Senate on Friday, September 14, 1990, at 10 a.m. to conduct a hearing on challenges to America's economic leadership and how government and industry should respond.

The PRESIDING OFFICER. Without objection, it is so ordered.

SUBCOMMITTEE ON MEDICARE AND LONG-TERM CARE

Mr. BRADLEY. Mr. President, I ask unanimous consent that the Subcommittee on Medicare and Long-Term Care of the Committee on Finance be authorized to meet during the session of the Senate on September 14, 1990, at 2 p.m. to hold a hearing on issues relating to Medigap insurance.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON THE JUDICIARY

Mr. BRADLEY. Mr. President, I ask unanimous consent that the Committee on the Judiciary be authorized to meet during the session of the Senate on September 14, 1990, at 9:30 a.m., to hold a hearing on the nomination of David H. Souter, to be Associate Justice of the Supreme Court of the United States.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON FOREIGN RELATIONS

Mr. BRADLEY. Mr. President, I ask unanimous consent that the Committee on Foreign Relations be authorized to meet during the session of the Senate on Friday, September 14, at 10 a.m. to hold a business meeting.

Agenda:

Senate Joint Resolution 206, calling for the United States to encourage negotiation of a new agreement among Antarctic treaty consultative parties for the full protection of Antarctica as a global ecological commons.

Senate Resolution 186, relating to the protection of the Antarctic system. An original resolution, congratulating the Republic of Cyprus on the 30th anniversary of independence.

NOMINATIONS

Mr. Edwin D. Williamson, of South Carolina, to be legal adviser of the Department of State.

Mr. James D. Watkins, of California, to be the U.S. Representative to the 34th Session of the General Conference of the International Atomic Energy Agency.

U.S. alternates:

Mr. Kenneth M. Carr, of California; Mr. Richard T. Kennedy, of the District of Columbia; and

Mr. Michael H. Newlin, of Maryland.

Mr. Tom C. Korologos, of Virginia, to be a member of the U.S. Advisory Commission on Public Diplomacy for a term expiring July 1, 1993.

Mr. Joseph Francis Glennon, of Florida, to be a member of the Advisory Board for Cuba Broadcasting for a term expiring October 27, 1991.

Mr. Robert F. Goodwin, of Maryland, to be a U.S. Commissioner on the International Joint Commission, United States and Canada.

Ms. Carolyn D. Leavens, of California, to be a member of the Board of Directors of the Overseas Private Investment Corporation for a term expiring December 17, 1990, and for a term expiring December 17, 1993.

Foreign Service Officers' promotion list, Mr. Philip-Michael Gary et al., September 10, 1990.

The PRESIDING OFFICER. Without objection, it is so ordered.

ADDITIONAL STATEMENTS

THE NATIONAL EMERGENCY ANTI-PROFITEERING ACT

● Mr. LEVIN. Mr. President, I am adding my name today as a cosponsor to S. 3035, the National Emergency Anti-Profiteering Act introduced by Senator LIEBERMAN.

We all should be outraged by reports of enormous increases in the price of gasoline which are far beyond anything which could be justified by the increase in the price of oil. S. 3035 is an important vehicle for finding a means to prevent this profiteering. I am confident that some of the vague language in the bill, which gives me some concern, will be fine-tuned and that we will be able to hammer it out into a useful tool for protecting Americans from profiteering in the event of national emergencies.●

EXCELLENCE IN CHILD NUTRITION AWARD FOR 1990

● Mr. BOSCHWITZ. Mr. President, I rise today to congratulate a distinguished group of Minnesotans who

were recently honored at a child care conference in Mankato, MN.

The following people received the Excellence in Child Nutrition Award for 1990.

Debra Annis, Leila Bjorklund, Kim Born, Patti Chell, Karen Dehn, Michelle Dollerschell, Elaine Ehrich, Lynnette Goodrich, Diane Hachfeld, Connie Huettl, Joleen Jensen, Mary Jimenez, Ruth Ledwein, Kathy Mielke, Colleen Miller, Mary Overmoen, Cheryl Peterson, Carol Pollei, Maria Swanson, Becky Tapper, Boni Thompson, Jeanne Veroeven, Constance Welp, and Mary Zuehlke.

While I was able to join them in the past, my duties in Washington prohibited me from being with them this year. It is with great pleasure and pride that I bring the names of these dedicated and hard-working individuals to the attention of this body.

As the senior Republican of the Senate Nutrition Subcommittee, I've been a strong supporter of the Child Care Food Program. I remain convinced that the child care home provider system should be further encouraged and expanded. Each year the Child Care Food Program provides nutritious meals and snacks to over 1.2 million children in child care centers and day care homes. Again, I want to take this opportunity to urge my colleagues to strongly support child nutrition. I firmly believe its one of the Government's most important programs.

Mr. President, I also want to recognize two additional awardees. First, is dietitian consultant, Beth Zimmer, who donates many hours and much expertise to the Child and Adult Care Food Program in an effort to maintain its positive public image. Beth also teaches full time at Mankato State University and develops all nutrition training presented by Children's Advocate Programs, Inc.

I'd also like to point out the outstanding efforts of Laurie Eccles in child care. Laurie was named outstanding provider for southern Minnesota because, among other things, she cares for severely handicapped children at no additional charge.

Mr. President, I intend to keep working hard to improve this program that provides nutritional assistance to our Nation's children.●

BOYNTON SCHOOL RECEIVES NATIONAL SCHOOL OF EXCELLENCE AWARD

● Mr. FOWLER. Mr. President, I congratulate the Boynton Elementary School of Ringgold, GA, on its well-deserved honor, the National School of Excellence Award given by the Department of Education.

Boynton Elementary School was selected through the Department of

Education's Blue Ribbons Schools Program, a national school improvement strategy that identifies unusually successful schools. Boynton competed against all kinds of schools for this honor: public and private schools; inner city, suburban, and rural; consistently high achieving and improving; and schools in both affluent and financially struggling districts.

The Blue Ribbon Schools Program has been in operation for 8 years. Since 1982, close to 2,000 schools have been identified and recognized nationally. The Georgia Department of Education nominated Boynton and in turn a review panel consisting of prestigious educators and noneducators with a strong commitment to educational excellence screened all 497 nominations.

Schools are judged on a number of research-based criteria such as visionary leadership; sense of shared purposes among faculty, students, parents, and community; and a climate that is conducive to effective teaching and teacher growth and recognition.

In light of the current status of education in America, I hope other schools will strive to emulate the high standards of excellence of Boynton Elementary School. My congratulations to Sharon Brock, the faculty and administration, and the students on achieving this distinction.●

TRIBUTE TO WILDLAND FIREFIGHTERS

● Mr. DOMENICI. Mr. President, I rise today to call your attention to a group of Americans who deserve our recognition and thanks. These are the brave men and women who serve this country as wildland firefighters.

Our national parks, forests, and the public lands that we all value so highly exist under the constant threat of destruction by wildfires. This summer's fires in Yosemite National Park and thousands of other fires throughout the Nation serve as grim reminders of the danger and destruction that wildfires pose to our public lands and the people that enjoy them.

For years we have been served well by a highly competent and efficient cadre of firefighters who are dedicated to protecting these lands. They come from many walks of life: Our Federal agencies, Indian tribes and Pueblos, and State agencies. They are college students, farmers, laborers, foresters, biologists, archaeologists, and scores of others, but all are trained and dedicated firefighters who regularly answer the call to fire duty.

These valiant men and women endure great personal hardships and sacrifices to protect our lands and properties. They must leave their homes and families, often for weeks at a time on the fire line. The work is difficult, often dangerous, and the hours

are long. How can we ever forget the tragic deaths of the 10 firefighters who have lost their lives this summer in the line of duty?

From my home State of New Mexico, 22 crews and some 7,500 people have answered the call to duty this summer. Some are the men and women who make up the overhead teams and "Hot Shot" crews from our Federal agencies. Others known as the "SWFF" crews come from the small communities, Indian tribes, and Pueblos in my great State, with names like Black Mesa, Jemez, Snoball, Santa Domingo, Mora, and Las Vegas, these crews have distinguished themselves with a long history of service and dedication to protecting our public lands. They were there when they were needed at Yosemite, in Alaska, and on the Sequoia, Tonto, and Apache-Sit-graves National Forests.

For many, the money earned fighting fires is their major source of income. It is the money that pays for college tuition, buys school clothes for their children, and goes for hundreds of other necessities.

Until recently, a glaring inequity existed that prevented our firefighters from being fully paid for their long hours of hard and hazardous work in overtime crisis situations. Many of the firefighters were not paid for their long overtime because of a limit placed on maximum pay in our Federal laws.

Mr. President, I had the pleasure of cosponsoring legislation that provided a measure of fairness to the pay of these firefighters; Public Law 100-523, The Forest Wildfire Emergency Pay Equity Act. This law lifted the cap on overtime pay for Federal firefighters in the Departments of the Interior and Agriculture. These employees can now be compensated fully for their heroic work in emergency wildfire situations.

Unfortunately, this inequity still exists for a few employees of the National Weather Service who are often called upon to help fight wildfires. I am proud to be a cosponsor of S. 1542 which would expand the Forest Wildfire Emergency Pay Equity Act to include employees of the Weather Service.

Correcting the overtime pay inequity for the firefighters of the National Weather Service is a small price to pay for their courageous efforts to protect our lands from the ravages of wildfires. Just like other Federal firefighters, we expect these people to spend long periods away from their families, enduring difficult living conditions, working in the heat and smoke, and subjecting themselves to life-threatening hazards. It simply is not fair to ask them to work for less than full compensation.●

FEDERAL EMPLOYEES AND THE BUDGET SUMMIT

● Ms. MIKULSKI. Mr. President, I rise to express my concern that, as we move in the direction of a possible budget agreement, we do not balance the budget on the backs of Federal employees or retirees.

Federal employees and retirees have already been asked to bear more than their share of Federal deficit cutting measures—more than \$119 billion since 1981.

These are the men and women who fight the war on drugs; who make certain our planes land safely and our cargo ships can make it in and out of port; who staff our veterans' hospitals, and make certain that Social Security checks are mailed out on time. We all know that large-scale furloughs in the Federal work force would be disastrous for public safety, social welfare, and our Nation's economic health.

I do not want to make the budget negotiators' job more difficult. However, I want my colleagues to know that this Senator will be very concerned if furloughs, excessive benefits, or pay cuts play too large a role in any budget agreement.●

STUDENT RIGHT TO KNOW AND CAMPUS SECURITY ACT

● Mr. SIMON. Mr. President, yesterday, the Senate passed the student Right-To-Know and Campus Security Act, S. 580. I am pleased to join Senator KENNEDY as a strong supporter of this legislation, and I applaud his leadership on these issues. The decision on what college to attend is one of the most important decisions an individual makes during his or her lifetime. This bill will help make that decision a more informed one in the future for thousands of young people. Title I of the bill, student and student athlete right-to-know, would require colleges and universities that participate in Federal student financial aid programs to disclose to current and prospective students graduation rates for certificate or degree-seeking, full-time students. This title would also require the reporting of information regarding the graduation rates for student athletes as compared with other students.

Mr. President, last year, at a hearing I conducted on the subject of illiteracy, former Redskins star Dexter Manley presented an emotional and compelling story about his personal struggle to overcome illiteracy. Mr. Manley attended 4 years of college, but until he sought assistance a few years ago, he could read only at the second grade level. While Dexter's experience as an exploited student athlete is perhaps not typical, far too many student athletes are still exploited for their physical prowess, while their academic and educational needs are forgotten.●

Mr. President, this bill attempts to improve the information available to not just college athletes, but all college students, regarding the success rate of postsecondary institutions in graduating students. Information about graduation rates represents just one way to evaluate a college's or university's performance, but it is a useful indicator of an institution's success, commitment, and performance. Unfortunately, a student's completion of his or her college studies cannot be taken for granted. Recently, the National Institute of Independent Colleges and Universities reported that only 43 percent of students in 4-year public colleges graduate 6 years later. That is a dismal record. We can do much better.

A beneficial result of this bill may very well be that it will encourage more colleges and universities to take a fresh look at their success and commitment to ensuring that all students have sufficient opportunities and the supportive services they need to complete their college education. The result could well be stronger academic and counseling programs.

Title II of the amendment, crime awareness and campus security, addresses the issue of college crime and campus security. This title would amend the Higher Education Act of 1965 to require colleges and universities to disclose to students and employees campus crime statistics and their policies on campus security. It takes a significant step toward improving the availability of campus crime and campus security information, without unduly burdening college administrators.

In 1988, a USA Today survey revealed that one out of every four college students is a victim of crime. And, unfortunately, recent incidents, such as the tragic and unfortunate deaths of several students at the University of Florida, provide little comfort that this situation is improving. While education remains the primary mission of postsecondary institutions, our Nation's colleges and universities also have the important responsibility of providing a safe environment for their students and helping students to take the necessary steps to ensure their personal safety.

In testimony before the House Subcommittee on Postsecondary Education, Robert Atwell, president of the American Council on Education stated that "rape [has] increasingly become a significant part of campus crime." A national survey in 1989 revealed that one out of six female students had been raped while in college. Mr. Atwell also remarked that racial violence consumes an increasingly greater percentage of campus police than in previous years—a trend reflected in the rising incidence of hate crimes throughout this country.

These disturbing statistics point to the need for a greater focus on the part of the Federal Government, colleges and universities and college students on the rising incidence of date rape and other, equally abhorrent crimes. The first step in education and greater awareness. Thus, I am especially pleased that this legislation includes provisions I authored that indicate that there is a clear need to encourage the development of policies and procedures to address sexual assaults and racial violence on college campuses. Through my efforts, the bill also requires the colleges and universities that participate in Federal student aid programs disclose to current and prospective students a description of programs to educate students and employees on the prevention of crimes, including those crimes of sexual assault and racial violence.

Mr. President, the issue of crime at our Nation's colleges and universities is a very serious one. With this legislation, I believe that we add another weapon to our arsenal for fighting campus crime and enhancing the safety and security of our Nation's college students and employees.●

FOOD AND AGRICULTURAL RESOURCES ACT

Mr. BRADLEY. Mr. President, I ask the Chair to lay before the Senate a message from the House of Representatives on S. 2830, the farm bill.

The PRESIDING OFFICER laid before the Senate the amendments of the House of Representatives to the bill (S. 2830) to extend and revise agricultural price support and related programs, to provide for agricultural export, resource conservation, farm credit, and agricultural research and related programs, to ensure consumers an abundance of food and fiber at reasonable prices, and for other purposes."

(The amendments of the House are printed in the RECORD of August 3, 1990, beginning at page 22301.)

Mr. BRADLEY. Mr. President, I move that the Senate disagree with the amendments of the House, and request a conference with the House, and that the Chair be authorized to appoint conferees on the part of the Senate.

The motion was agreed to, and the Presiding Officer appointed Mr. LEAHY, Mr. PRYOR, Mr. BOREN, Mr. KERREY, Mr. LUGAR, Mr. DOLE, and Mr. COCHRAN conferees on the part of the Senate.

ORDER TO HOLD H.R. 4500 AT THE DESK

Mr. BRADLEY. Mr. President, I ask unanimous consent that H.R. 4500 remain at the desk until the close of

business Monday on September 17, 1990.

The PRESIDING OFFICER. Without objection, it is so ordered.

ORDER FOR RECORD TO REMAIN OPEN UNTIL 3:30 P.M.

Mr. BRADLEY. Mr. President, I ask unanimous consent that committees may have until 3:30 p.m. to file reported executive or legislative calendar business, and that the RECORD remain open until 3:30 p.m. for the introduction of statements and bills.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. BRADLEY. Mr. President, I ask unanimous consent that Mr. LIEBERMAN be recognized to speak, and at the conclusion of Senator LIEBERMAN's remarks, the Senate stand in recess under the order until 1:30 p.m. Monday, September 17, 1990.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. BRADLEY. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. LIEBERMAN. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. AKAKA). Without objection, it is so ordered.

THANK YOU, GREAT BRITAIN

Mr. LIEBERMAN. Mr. President, there has been much talk in the last couple of days throughout America and on this floor about burden sharing. There were some appropriate expressions of gratitude expressed earlier today toward the Japanese for their increase in the amount of aid that they are prepared to give to the American effort in the Persian Gulf.

But I rise today to offer my thanks in particularly strong terms to the people and the leaders of Great Britain for their consistent and steadfast support of the international effort in the Persian Gulf. I want to point out, Mr. President, that today deed has matched word as news comes that the British are committing at least 6,000 more troops to the multinational force and this time they are troops who will stand side by side on the ground, in the desert of Saudi Arabia, to protect freedom there. They will include more than 120 British tanks. This division apparently is the direct descendant of the Desert Rat Division which helped defeat Rommel in another desert in World War II. That represents a doubling of the British contribution, and it is the first time that a Western nation, besides the United States, has sent troops and military equipment to the region on the ground.

Mr. President, perhaps it is an appropriate time to cite that great architect and symbol of British-American leadership and cooperation, Winston Churchill, who once said that the price of greatness is responsibility. That has been true for America, which I believe proudly has lived up to its role as a great nation in the current hour by assuming the responsibility of leadership with a decisive commitment of forces to the Persian Gulf.

That has also been true of the land and people of Winston Churchill, where Great Britain has been meeting its responsibility to the community of nations and to the cause of peace and stability in the Middle East and throughout the world.

It would have been easy for our friends and allies in Great Britain to have sat this one out. I suppose, with its North Sea supply of oil, the British were in no immediate, harsh danger of disruption of their economy; I suppose that the British could have claimed in this time no direct interest in the troubled Middle East, letting others work perhaps for the release of British hostages that are held there. But from the start there was no doubt where the English stood, and I hope the strong and compelling words of Mrs. Thatcher and her compatriots are heard not just in Baghdad but in the other capitals of the nations of the world.

Despite the fact that a number of nations in the world are more dependent on Persian Gulf oil than America, many have failed to do their part to condemn and contain Saddam Hussein and force his withdrawal from Kuwait. While there has been nearly unanimous adherence to the embargo of Iran by most of the nations in the world, and particularly by our allies, there has been less than adequate contribution of force, material, and money from those allies.

Where England has gone, I hope other nations, friendly nations will soon follow. Symbolic efforts in this time are simply not sufficient; there is too much at stake, because symbolism alone will not defeat Saddam Hussein.

Perhaps the reasons for Great Britain's forthright conduct can be found in their own national experiences. It would not be surprising if that were so. The English, obviously, know first hand the legacy of appeasement, and that is bombs raining down from the sky. In fact, Mr. President, if my memory serves me correctly, tomorrow is the 50th anniversary of the darkest days of the Battle of Britain, when the German Air Force mercilessly attacked the people of England. The people of England stood strong, and they know first hand what a war-monger with missiles can do. They know that he will fire those missiles on civilian populations. The English know

that you cannot be a leader without demonstrating the ability to exercise that leadership.

So this Senator is proud to rise on the floor of the Senate and say, to the people and Government of Great Britain, thank you—thank you for coming to the aid of the Kuwaitis and the Saudis and for standing once again by the side of the United States of America. These are two nations with common history, common values, and, I believe, a common and overriding sense of purpose.

The English people have been good enough over the years to say that they have never forgotten and will never forget the aid that the United States brought to their side during World War II.

This is a different kind of conflict, it is true, but we are facing another aggressor, who apparently knows no limits and threatens to undo the civility and order of the world. So I want to say to the people of Britain today, in response to their commitment of forces, British soldiers on the ground in Saudi Arabia and the Persian Gulf, I hope and believe the people of America will never forget what they have done to stand by our side today.

I thank the Chair. I yield the floor.

ORDER OF PROCEDURE

Mr. PELL. Mr. President, I ask unanimous consent that I be permitted to speak for up to 5 minutes; that at the conclusion of my remarks, the Senate stand in recess under the order.

The PRESIDING OFFICER. Without objection, it is so ordered.

CYPRUS—FURTHER OPPORTUNITY FOR AMERICAN LEADERSHIP

Mr. PELL. Mr. President, as events unfold in the Persian Gulf and civilized nations around the world become increasingly sensitive to the need to pull together to assure respect for the

sovereignty of peaceful nations and the stability of the world economy, we have applauded the leadership of President Bush and the unity displayed by our NATO allies in not only supporting and fully participating in the economic embargo that the President recommended, but in participating in the deployment of military forces to the region.

In the President's address to Congress 2 evenings ago, he singled out Turkey and Egypt as "stalwart frontline nations" providing generous support. Without question, Turkey's compliance with the five U.N. Security Council resolutions that condemn Iraq's aggression, its prompt shutoff of the flow of oil from Iraq after the invasion and suspension of trade of all kind with Iraq, demonstrate that Turkey can be a dependable friend of freedom and democracy in the world.

But, Mr. President, as we recognize Turkey's contribution in the Persian Gulf crisis, we cannot and must not ignore Turkey's actions in the nearby region of the eastern Mediterranean on the island of Cyprus. The parallels are striking. Sixteen years ago Turkish forces invaded the island of Cyprus. Like the Iraqi invasion of Kuwait, Turkey's invasion of Cyprus was an illegal act that has been condemned by the United Nations. Yet, in this instance, Turkey has ignored the U.N. resolutions on Cyprus and maintains an occupying force on the northern third of the island.

The President said the other night, "Recent events have surely proven that there is no substitute for American leadership." Let us use that leadership to create a just and lasting solution to the Cyprus problem. The administration has an obligation to devote the same level of hard work and determination to assisting the United Nations in its efforts to resolve the Cyprus problem as it has so ably demonstrated in the Persian Gulf crisis. Turkey has an opportunity to show the world that it is a reliable and dependable friend of freedom and de-

mocracy throughout the world, not just in selective regions.

Mr. President, although our attention is understandably focused on the Persian Gulf where the lives of so many American men and women are on the line, the tragic conflict in Cyprus is not forgotten, nor will it be, not until a peaceful and just solution is reached.

ORDERS FOR MONDAY, SEPTEMBER 17, 1990

Mr. BRADLEY. Mr. President, on behalf of the majority leader, I ask unanimous consent that when the Senate completes its business today it stand in recess until 1:30 p.m., Monday, September 17; that following the time for the two leaders there be a period for morning business not to extend beyond 2 p.m., with Senators permitted to speak therein for up to 5 minutes each; and that at 2 p.m. the Senate proceed to the consideration of Calendar Order 504, S. 1511, the older workers bill.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. BRADLEY. Mr. President, under the order entered previously on the D.C. appropriations bill, there will be a vote at 7 p.m. Monday relative to the Coats amendment. That vote will be the first vote of the day.

The leader asked me to announce to our colleagues that, should any amendments offered to the Betts bill require votes, those votes would occur Monday evening upon disposition of the D.C. appropriations bill.

RECESS TO MONDAY, SEPTEMBER 17, 1990

The PRESIDING OFFICER. Under the previous order, the Senate stands in recess until 1:30 p.m. on Monday, September 17, 1990.

Thereupon, the Senate, at 2:48 p.m., recessed until Monday, September 17, 1990, at 1:30 p.m.

HOUSE OF REPRESENTATIVES—Friday, September 14, 1990

The House met at 10 a.m. and was called to order by the Speaker pro tempore [Mr. BONIOR].

DESIGNATION OF SPEAKER PRO TEMPORE

The SPEAKER pro tempore laid before the House the following communication from the Speaker:

WASHINGTON, DC,
September 13, 1990.

I hereby designate the Honorable DAVID E. BONIOR to act as Speaker pro tempore on Friday, September 14, 1990.

THOMAS S. FOLEY,
Speaker of the House of Representatives.

PRAYER

The Chaplain, Rev. James David Ford, D.D., offered the following prayer:

We know, O God, that our ways are not Your ways and our words not Your words, and so we confess that we too often, do not have the patience to hear Your words or follow Your ways. Remind us, gracious God, not to identify our own crusade or program with Your plan for our lives, but rather let us hear Your still small voice in the depths of our hearts, and then with humility and diligence do the words of justice and mercy. This is our earnest prayer. Amen.

THE JOURNAL

The SPEAKER pro tempore. The Chair has examined the Journal of the last day's proceedings and announces to the House his approval thereof.

Pursuant to clause 1, rule I, the Journal stands approved.

PLEDGE OF ALLEGIANCE

The SPEAKER pro tempore. Will the gentleman from Oklahoma [Mr. EDWARDS] please come forward and lead the House in the Pledge of Allegiance?

Mr. EDWARDS of Oklahoma led the Pledge of Allegiance as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

MESSAGE FROM THE SENATE

A message from the Senate by Mr. Hallen, one of its clerks, announced that the Senate agrees to the amendment of the House to the bill (S. 963)

"An Act to authorize a study on methods to commemorate the nationally significant highway known as Route 66, and for other purposes".

The message also announced that the Senate agrees to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments to the bill (S. 2088) "An Act to amend the Energy Policy and Conservation Act to extend the authority for titles I and II, and for other purposes."

The message also announced that the Senate disagrees to the amendments of the House to the bill (S. 1824) "An Act to reauthorize the Education of the Handicapped Act, and for other purposes," requests, a conference with the House on the disagreeing votes of the two Houses thereon, and appoints Mr. KENNEDY, Mr. HARKIN, Mr. METZENBAUM, Mr. SIMON, Mr. HATCH, Mr. DURENBERGER, and Mr. JEFFORDS, to be the conferees on the part of the Senate.

TRIBUTE TO SAM STRATTON

(Mr. McNULTY asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. McNULTY. Mr. Speaker, I regret to inform you and the other Members of the House today of the passing of our very dear friend and former colleague, Congressman Sam Stratton. Sam has been ill for some time, but his death was sudden and unexpected. Sam was a Member of the U.S. House of Representatives for 30 years, and back home he was known as the person who really wrote the book on constituent service. He was always close to the people.

Mr. Speaker, I recall that that was really set in stone back in the 1960's, when he was redistricted in a territory that no one thought he could win. They took his home in Amsterdam, and connected it along the New York State Thruway and ran it out to a suburb in Rochester, and I recall that as the people drew the maps and looked at their handiwork they said, "Many things will be said about this congressional district, but one thing is for sure. No Democrat can win it."

Well, Mr. Speaker, Sam went out on the New York State Thruway, visited every town and village along the way, met the people, made them familiar with his record, and, when the votes were counted that November, Sam Stratton was again victorious, and he went on, as all of my colleagues know,

to win election after election by record margins.

In addition to his personal popularity, Sam Stratton was recognized by everyone in this Chamber as an expert on defense and foreign policy. He will be sorely missed.

Mr. Speaker, arrangements are incomplete, but at this time we expect that Sam will be buried with full military honors at Arlington National Cemetery on next Tuesday. I will be getting in touch with each individual office in the House so that every Member knows of those arrangements, but today I would just like to express our deepest regret to his wife, Joan, to his children and grandchildren, and I say to his wonderful wife, Joan, and to all of the members of the Stratton family, "Thank you for sharing Sam Stratton with the people for so many, many years."

Mr. EDWARDS of Oklahoma. Mr. Speaker, will the gentleman yield?

Mr. McNULTY. I yield to the gentleman from Oklahoma.

Mr. EDWARDS of Oklahoma. Mr. Speaker, it was my great pleasure when I came to the House 14 years ago to have the opportunity to know Sam and work with him, and I want the gentleman from New York [Mr. McNULTY] to know that the Republican Members of the House, as well, found Sam Stratton to be the absolute exemplar of what a Congressman should be. He was a true gentleman. He knew his material very well. We respected him, both as a person and as a legislator, and I would like to offer the condolences to Sam's family for the Republican Members of the House as well.

Mr. Speaker, he was a very, very fine gentleman. We have missed him in the House, and I am very sorry to hear of his passing.

Mr. McNULTY. Mr. Speaker, I appreciate the comments of the gentleman from Oklahoma [Mr. EDWARDS], and he is certainly right on the money when he makes those statements because I recall in later years, when there were dinners and honors, and even fundraisers for his reelections, there were almost as many Republicans there as Democrats. So, he was loved by everyone. He was respected and admired on both sides of the aisle.

Mr. Speaker, I certainly appreciate the comments of the gentleman from Oklahoma [Mr. EDWARDS].

□ This symbol represents the time of day during the House proceedings, e.g., □ 1407 is 2:07 p.m.

Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.

SUPPORT URGED FOR DESERT SHIELD AMENDMENT

(Mr. THOMAS of Georgia asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. THOMAS of Georgia. Mr. Speaker, I rise in strong support of the provision contained in Chairman ASPIN's Desert Shield amendment to the pending fiscal year 1991 DOD authorization bill. Specifically, I applaud the provision to give all members of our Armed Forces deployed in the Persian Gulf imminent danger pay and other pay benefits. This will help offset the loss in their subsistence allowance due to their deployment.

Just 2 days ago, I introduced separate legislation to provide a minimum of \$150 per month in special pay per month to every member of the Army, Navy, Air Force, Marines, and Coast Guard currently deployed in the gulf.

At a time when we have spared no expense in deploying over 100,000 troops to Saudi Arabia and the Persian Gulf, I applaud the actions of the House Armed Services Committee to provide some level of monetary relief of our service men and women and their families.

There is no reason to make our personnel wait until someone shoots at them to get combat pay. They are deployed in a terribly dangerous environment, and they deserve the pay now, not later.

Let me also request that my colleagues join me in supporting legislation I have introduced to increase the amount of life insurance available to all active duty members of our Armed Forces. My bill, H.R. 5605, would increase the payment under the Servicemen's Group Life Insurance Program from the current level of \$50,000 to \$100,000.

It is past time for us to acknowledge that \$50,000 cannot possibly provide for the needs of the surviving spouses and dependents of a service man or woman killed while on active duty.

I urge your support for both of these very important initiatives.

ONE YEAR LATER—THE LOUISVILLE SHOOTINGS

(Mr. HUBBARD asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. HUBBARD. Mr. Speaker, I would add my expression of sorrow upon the passing of our dear beloved former colleague, Congressman Sam Stratton, who indeed in my own district and in Kentucky was a hero.

Mr. Speaker, 1 year ago today, western Kentuckians along with the entire Nation were shocked and horrified when a crazed gunman named Joseph T. Wesbecker, armed with an AK-47 assault rifle, murdered seven employ-

ees of Standard Gravure Corp. at the printing plant in downtown Louisville, KY.

Wesbecker injured 13 others before killing himself. An eighth innocent victim of the shooting spree died on September 18.

Today, on the first anniversary of that tragedy, I again extend my sincere and heartfelt sympathy to the families and friends of the victims. Their lives will never be the same as the result of the senseless killings.

Following the Louisville shootings, I added my name as a cosponsor to legislation which would prevent the importation and domestic manufacture of semiautomatic assault weapons with large ammunition feeding devices, and to the Brady bill, which would impose a 7-day waiting period on firearms sales, aimed at preventing the felonious misuse of firearms.

Under the second amendment of our U.S. Constitution we the people have a right to keep and bear arms for legitimate purposes, and I strongly support that right. In fact, I own a handgun and a hunting rifle. But it is unlikely our Founding Fathers intended to guarantee crazed individuals and criminals the right to keep and bear assault weapons with large ammunition feeding devices like the AK-47 with which to kill and maim innocent people. And I honestly believe that a waiting period will not infringe on the rights of law-abiding citizens.

I urge my colleagues in the House to remember the Standard Gravure victims and to take the necessary steps to keep dangerous weapons out of the hands of mentally incompetent persons and convicted criminals. We simply must bring violence under control in our society, particularly that fostered by terrorists, drug dealers, and organized crime, and do something to prevent those in our society to whom human life means nothing from continuing to victimize innocent citizens.

Now is the time for the Congress to step in and end the senseless carnage. We must prevent such a terrible tragedy as the Louisville shootings from recurring.

□ 1010

ONLY ONE BILL PREVENTS TAXPAYER BAILOUT OF BANKS

(Mr. ANNUNZIO asked and was given permission to address the House for 1 minute.)

Mr. ANNUNZIO. Mr. Speaker, a number of bills and proposals have been written to pump up the underfunded bank insurance fund [BIF] in the Federal Deposit Insurance Corporation. While all of the bills and proposals merit our consideration, there is only one bill, H.R. 5590, that will totally protect the taxpayers from having

to bail out the fund if current economic conditions continue.

I introduced H.R. 5590, the Bank Account Safety and Soundness Act, earlier this week after the General Accounting Office reported that the bank fund is in serious trouble and there is a possibility that the taxpayers may have to bail out the fund. Since the fund insures some \$2 trillion in deposits, such a bailout would in itself bankrupt the American taxpayers.

But my bill shifts the costs away from the taxpayers and makes the banks pay for the cost of the bailout. Under H.R. 5590, every bank would have to make an immediate deposit of 1 percent of its total deposits in the FDIC fund. That would add \$25 billion to the fund. In addition, any time the fund fell below a 1-percent level, the banks would have to make additional deposits to bring the fund back up to the 1-percent level. The taxpayers would never have to face a bailout.

As we prepare for the coming elections, and the voter concern about the cost of the taxpayers savings and loan bailout, ask yourself if you want to tell the voters in your district that you favor a taxpayers bailout of the banks. If you cosponsor and vote for H.R. 5590, you can avoid a taxpayer bailout. No other bill can make that statement.

POLITICAL WORD GAMES

(Mr. DORGAN of North Dakota asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. DORGAN of North Dakota. Mr. Speaker, I noticed in the newspaper this morning a story about political advice to political candidates in this country. I thought I would share this with my colleagues in the event they might have missed it.

One of the campaign organizations called GOPAC, a conservative political action committee of which Mr. GINGRICH on the other side of the aisle is chairman, has contributed a list of suggested words and phrases that can help GOP candidates shine their images and damage those of their rivals, according to the story. Republican candidates are told to mention "moral," "humane," and "hard work" when talking about themselves, and to use the words, "pathetic," "liberal," and "criminal rights" when speaking of Democrats.

They sent this to about 6,000 candidates around the country, and they said:

These words and phrases are powerful, so read them, memorize them, and remember, like any tool, these words will not help if they are not used.

So, Mr. Speaker, it occurred to me just to advise everyone in this country, as follows: The next time they hear

someone uttering these words, building word castles in the sky, the words that seem powerful and emotional and strong and thoughtful may not be coming straight from the heart; they may come straight from Newt.

COLLAPSE IN GRAIN PRICES DEVASTATES FAMILY FARMERS

The SPEAKER pro tempore (Mr. BONIOR). Under a previous order of the House, the gentleman from North Dakota [Mr. DORGAN] is recognized for 5 minutes.

Mr. DORGAN of North Dakota. Mr. Speaker, something, somewhere or someone is manipulating grain prices in this country. The price of wheat has been falling like a rock. We now have the lowest real wheat prices since 1973 and the lowest in value since the 1930's and it's devastating to family farmers.

I've asked the House Agriculture Committee to launch an immediate investigation to find out why grain prices have collapsed.

I've had the GAO prepare an analysis of a couple of decades of grain prices, relating price to carryover stocks. Last year, and again this year, we find that carryover stocks are low but prices have not responded by moving higher.

The price of wheat is at least \$2 a bushel below where it ought to be today, if prices had behaved the way they have historically behaved in the last two decades.

Mr. Speaker, the family farmers of this country are tired of a game whose rules are stacked against them. When there was a glut of grain, the prices dropped.

When carryover stocks are low, farmers expect prices to increase. Some place, somehow, something is wrong and it's costing farmers hundreds of millions of dollars in lost income. I want to find out what's causing it and how to fix it.

And finally, Mr. Speaker, I'd like to see the Secretary of Agriculture—who chants about free markets—try and figure out why these free markets aren't working for family farmers. I'd like to see the Secretary stand up and fight for family farmers' interests. When the big grain trader companies get a headache the Agriculture Department is rushing to offer them an economic aspirin. I wish I'd see one-half as much concern from the USDA for the family farmer. It's either time for the Secretary to stand up for family farmers or it's time to get a Secretary of Agriculture who will.

Mr. Speaker, I have taken this time, then along with my colleague, the gentleman from South Dakota [Mr. JOHNSON], to discuss just for a moment the very serious collapse of grain prices in this country. Some people who are not

affected by that will wonder: How important is it?

The collapse of grain prices is devastating to rural America. Every change in the price of wheat by a dime means \$30 million to wheat producers in North Dakota. That is how important grain prices are.

Normally one could expect the market system to work. We have had folks downtown at the U.S. Department of Agriculture tell us, "We want American farmers to be a part of the free-market system. They should rely on the free market." Well, the free market would suggest that when supplies are abundant, prices will drop; when supplies are short, prices will go up. That is the way the market works. I used to teach economics in college. We taught the supply-demand curve. Incidentally, I have gone on to become productive notwithstanding having taught economics.

But the supply-demand curve suggests that when supplies are abundant, prices are going to fall. We understand that. But when stocks are shorter than usual, prices should be increasing.

In 1989 and 1990 we have seen a relationship in supply and demand, as shown on this chart, that is very unusual. Let me describe this chart. This is a regression analysis of a sort. This chart shows that when the carryover stocks are ample, down to almost a full year's supply, prices are depressed. When carryover prices are short, prices normally cluster up around here. In these days carryover stocks are very short, and yet prices are at least \$2 a bushel below where they ought to be for wheat.

Something is happening to cause a collapse in prices, and we do not understand it. We want to see an investigation to find out why wheat and feed grain prices are collapsing at this point. Somewhere, something is happening to change the relationship of price to carryover stocks: prices are collapsing at a time when prices ought to be strengthening. We think there ought to be an investigation.

First, I have asked the Committee on Agriculture in the House to conduct an investigation, and, second, I think the U.S. Department of Agriculture ought to conduct its own investigation.

While I am at it, let me suggest that the Department of Agriculture and the Secretary ought to start spending some time worrying about this. I know the Secretary is off trying to negotiate an abandonment of farm prices in GATT, and he is doing a whole range of other things. However, his job in my judgment ought to be putting together a farm program that works, that gives family farmers a chance to make it in this country. Farmers cannot make a living when the price collapses, where both the support

price and the market price are below the cost of producing the product.

We must do better than that. What we have got to insist on this point, if we are going to save the family farmers in this country, we must provide some help through the mechanism of a farm program or we must insist that the mechanism of the market system works so that prices are somewhere at or above the cost of production. Anything less than that is devastating to family farmers.

We have had 8 years of depressed prices in agriculture. We have had a couple of years of drought in my part of the country. This is not working. The current system does not work. It is a bankrupt system that has slowly bled family farmers, with thousands upon thousands of farmers, year after year, going broke.

This country can do better than that. We need a network of family farms in this country's future. If anybody doubts that, then let us just project forward to a day when we would have only a few thousand corporations farming America's farmlands and ask ourselves, what will the price of food be to the consumer when only a few thousand producers have a choke hold on the production of what America eats?

We can do better. We must do better. What has happened in recent months with the collapse of grain prices is shocking and devastating to family farmers in this country, and we have got to do something about it.

Let us investigate and find out why it is happening and what is wrong with normal supply-demand relationships, and then let us work in the Congress with the Secretary of Agriculture to put together a program that finally works for family farmers.

When we talk about the farm program, there are some who can think about nothing but the giant agri factories. I do not have any great interest in putting together a program for people who milk 3,000 cows a day. If they want to milk 3,000 cows a day, God bless them, they can milk them on their own; they do not need the Federal Government to be their financial partner.

I do not have any great interest in somebody who wants to farm three or four counties. If they want to do that in this country, they have a right to do it, and God bless them, but the Federal Government cannot afford to be their financial partner.

I do have an interest in trying to put together a price-support system and to protect smaller producers against this kind of price collapse, people who have their families on family farms of 600, 800, 1,000, or 2,000 acres and who are trying to make a decent living.

□ 1020

These days, that system has collapsed, and does not work. The Secretary of Agriculture, while farmers are being burned at the economic stake, seems to be carrying the wood for the fire. We expect better than that.

Mr. Speaker, I yield back the balance of my time.

GOAL OF ADMINISTRATION: FREE MARKET ECONOMICS, OR LOWER GRAIN PRICES?

The SPEAKER pro tempore (Mr. BONIOR). Under a previous order of the House, the gentleman from South Dakota [Mr. JOHNSON] is recognized for 5 minutes.

Mr. JOHNSON of South Dakota. Mr. Speaker, I want to commend the gentleman from North Dakota [Mr. DORGAN] for the work that he has put into analyzing the price trends we have seen in the grain market over the last number of years.

Mr. Speaker, there is not a farmer in South Dakota, North Dakota, nor the remainder of this country, who would not rather make a decent living from a good market price for his grain than from Government price support programs. The need for a good market price for that grain is all the more imperative now that we see ourselves caught up in the current budget environment with the freeze in target price and the potential for declining target prices once the budget summit comes back.

Mr. Speaker, we find ourselves in tremendous financial stress. Our farmers want to make a living at the elevator, not at the ASCS office. But historically, when grain supplies have declined, market prices have gone up. That is what ought to be occurring now.

There is some explanation for the past 2 years why that did not occur. In 1989 and 1988 we watched the Department of Agriculture use Government grain and the farmer-owned reserve to prevent market prices from rising. But now that grain is gone. There is no rational justification, if free market economics are in fact at work, why those prices should not be significantly higher than they are today.

Mr. Speaker, we have no hope at all for a decent grain price if we have a farm program that promotes low loan rates, low target prices, and we do not have free market economics at work. There is no valid explanation of why this event ought to be taking place any longer with the grain stocks at their current status.

The decline of Government farm program spending, it is all the more imperative that we very quickly find what sort of chemistry is at work here, what sort of machinery is at work, that would lead to low stocks and low prices, which may be beneficial for a

handful of grain companies but is certainly devastating for a family grain producer with his increased input costs. Thanks now, particularly to higher energy costs he is going to be facing here in this coming year, he is going to be caught in a tremendous vise.

There are some of the huge agribusiness corporations that may be able to do well regardless. But for the family producer, who is the backbone of rural America, we need to sustain, if we are going to retain the schools and the churches and the Main Streets in the small communities, if we are going to in the long run preserve moderate-priced food for every American consumer. As the gentleman from North Dakota [Mr. DORGAN] indicated, if you think food prices are high now, wait until you see what happens when corporate America takes over the production of agricultural production in this country. We are going to see many times over a rise in food prices.

What we need at this point is a sane farm policy, but we also need an analysis from the Department of Agriculture and from the Committee on Agriculture itself as to what is in fact transpiring here. We cannot wait any longer for these market prices to recover, to return to the level where they ought to be, given the current grain stocks that we have in this country.

Mr. DORGAN of North Dakota. Mr. Speaker, will the gentleman yield?

Mr. JOHNSON of South Dakota. I yield to the gentleman from North Dakota.

Mr. DORGAN of North Dakota. Mr. Speaker, I appreciate the statement that the gentleman from South Dakota [Mr. JOHNSON] is making. Does the gentleman recall last year, I believe, maybe a year and a quarter ago, we had an example of the administration opening up reserve stocks. It was kind of curious. We were trying to understand why they were doing certain things.

An Assistant Secretary was brought down before the Committee on Agriculture and questioned: "Why are you doing this?"

The Assistant Secretary said:

Well, we did it because we felt prices were getting too strong. They were strengthening too much.

This, from the people who are saying we need a free market. They are down there hip deep trying to interfere with and manipulate the markets that they want to be free.

It seems to me there is a clear record here of an administration that says we want farmers to operate in the free market, and yet every single opportunity they have, they wade in to try to interrupt that market in a way detrimental to family farmers. Their goal is to drive prices down.

Mr. Speaker, I do not hear anybody crying crocodile tears downtown about the fact that prices have collapsed. They are still off working trying to see if they can negotiate with the Europeans to try to get rid of the entire farm program. Boy, the priorities are unusual, strange, and Byzantine downtown. I think we and the family farmers of this country should expect more. Why have an agriculture program at all? Why have a farm program, if it is not to try to provide some bridge over price depressions for family farmers in this country?

Mr. Speaker, if that is not what we are trying to do, why have a farm program? If that is what we are trying to do, let us make sure it works. Let us not sit around and smile at the sky while prices collapse and try to negotiate a program away with our allies. Let us find a way that makes it work for family farmers consistently, that allows them to make a decent living by getting a price somewhere above the cost of production.

Mr. Speaker, I really appreciate the comments of the gentleman from South Dakota [Mr. JOHNSON].

Mr. JOHNSON of South Dakota. Mr. Speaker, reclaiming my time, I thank the gentleman from North Dakota [Mr. DORGAN] for his excellent remarks, which are well taken. It has long been the philosophy of this administration to continue to drive down the price of grain. One has to wonder if the goal is not free market economics, but simply lower prices.

The assumption is with lower prices we will become more competitive. But if we are losing money on each bushel produced by a family producer now, it does us little good, and it holds out hope only if we can look forward to an agriculture economy where our producers will have incomes less than that of Argentine peasants.

What we need is to turn away from the philosophy that we have gone down the last 8 to 10 years, return to a point where we can create an environment where good market price does, in fact, return, and get away from the intricacies of farm programs, but to good market prices.

Mr. Speaker, I thank the gentleman from North Dakota [Mr. DORGAN] for his leading work on this issue, and I yield back the balance of my time.

BURDEN SHARING

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Michigan [Mr. BONIOR] is recognized for 10 minutes.

Mr. BONIOR. Mr. Speaker, I wanted to speak this morning on an issue that is on the minds of American people, and clearly on the minds of Members of this House.

Two days ago I took the well and offered an amendment requiring the Japanese Government to pick up the share of the cost that they are not paying for the defense of Japan and United States troops stationed there. We have 50,000 American troops in Japan defending Japan, defending American interests in that region, costing us approximately \$5 billion a year. The Japanese pick up about \$2.9 billion in addition to that, for a grand total cost of close to \$8 billion.

Mr. Speaker, that is not enough. Their share of the burden has to increase. The amendment was offered on the House floor, and the gentleman from North Dakota [Mr. DORGAN] and the gentleman from Virginia [Mr. WOLF] spoke eloquently for it, and it passed 370 to 53. It was the strongest message we sent in this Congress on the issue of burden sharing since I have been here the past 15 years.

Lo and behold, the concerns of Americans about sharing the burden of the new world order in the gulf, we have seen some changes in the last day or so. This collective responsibility, this collective security idea that has emerged in the new world order, required collective responsibility.

Mr. Speaker, last night the Japanese Ambassador was gracious enough to call me and indicated that the Japanese now are willing to provide an additional \$2 billion in aid, another billion for frontline nations, Egypt, Jordan, and others, as well as \$1 billion in logistical support for our troops and others in the multinational force stationed in the Persian Gulf.

Mr. Speaker, this says something. It says that when you are tough, when you send a strong message, you get respect and you get a response. I am not going to lay claim that this amendment was the only thing that did it, but clearly the message was a strong one. The Japanese people heard it, and they understood that they have to be more a part of a solution to the problem in the Persian Gulf.

□ 1030

We had an amendment last year offered by the gentleman from North Dakota [Mr. DORGAN], that started that process to get them to pick up a larger share of the responsibilities in the world. This takes it further. I want to see their share of the burden for the defense of the Japanese nation increased when we report the conference report back on DOD, and we will be working to that end.

Clearly what has happened yesterday is helpful in reaching an amicable conclusion to that process.

I would like to turn for just a second, before I yield to my friend from North Dakota, to the question of burden sharing in Europe. The Europeans, the Europeans get much of their oil from the Persian Gulf and

Middle East, 52 percent roughly, and the Japanese close to 70 percent. They have got to be more forthcoming, particularly the Germans. The Germans have given a pittance so far, and what is particularly galling to those of us in this body and those in the other body is that just this week they agreed to a \$8 billion payment to the Soviets for removal of Soviet troops from East Germany.

They can do better. They can do much better in the collective security of the Persian Gulf, and we expect them to do better. Our Secretary of State is meeting with Chancellor Kohl on Saturday, and I hope that those meetings will be fruitful, and that the Germans will be more forthcoming economically in this venture that we are engaged in.

So the message I think is quite clear, Mr. Speaker. The message is you have to be tough, and if you are tough on military issues, you get respect and you get response. I wish we could have done this on trade.

One of the reasons I think the vote was so overwhelming the other day is because every sector of this country on the trade issue has been affected. It started with autos in the Midwest, and in my State, a \$60 billion auto market, auto parts market in Japan, and we get 1 percent of it. They close us out for 99 percent of that market and we cannot get in. Then it spread to the Midwest, cattle, citrus fruits, wheat, grains. Then it spread to New England and the textile regions, and, of course, lumber in the Northwest, computers, semiconductors in California.

What we have is a situation where people are just fed up with us paying the cost of the burden of the world. We are willing to do our share. We are going to be out in front leading freedom everywhere in the world. But we want others to participate with us. We have needs here at home that we have to take care of, and we have been providing the economic security and umbrella for the world for 45 years. It is time for others, the Germans who are wealthy, the Japanese who are wealthy and prosperous to share in the burden, and that is what we are saying.

I am pleased that we have gotten the response that we did the other day.

Mr. DORGAN of North Dakota. Mr. Speaker, will the gentleman yield?

Mr. BONIOR. I yield to my friend, the gentleman from North Dakota.

Mr. DORGAN of North Dakota. Mr. Speaker, I thank the gentleman for yielding.

Mr. Speaker, let me say that the vote on the Bonior amendment was an unmistakable message from the Members of this House representing the American people. The message is that we cannot continue to do business in the way we have been doing business in

the past. I want to congratulate my colleague for offering the amendment.

And it is not ally bashing. None of us here fail to understand the relationship we have with the Japanese, and the Germans and the French and others. We have important security and trade relationships with them. We understand that. They are close allies and friends and partners in lots of things that we do around the world.

But they understand as well that if the Americans are willing to continue to pay their bills, they certainly would want to let us do that. We must be willing to stand up and say to them "wait now, a friendship and a partnership operates in several different ways, and one of the responsibilities of partners and friends is to share the load, share the burden." Uncle Sam should not do it anymore. We are spending money we do not have on things we do not need, borrowing money from Japan to protect Western Europe, and the American taxpayer is asked to bear the burden and pay the bill. Uncle Sam cannot do it anymore.

It is not old fashioned for us to think that we need to invest again in America first, to ask our allies to start paying their fair share, for us to pay our fair share, and to take the resulting savings to reduce our deficit and invest in America. That is all the amendment says and it is all that the rest of us want to do.

I fail to understand why leadership has not come from downtown on this. I would like to see more leadership. I commend the folks on the other side of the aisle, the gentleman from Virginia [Mr. WOLF] and others who provided leadership we needed in this body to say here is what the American people expect, want and deserve for our future.

Mr. WOLF. Mr. Speaker, will the gentleman yield?

Mr. BONIOR. I yield to my colleague, the gentleman from Virginia.

Mr. WOLF. Mr. Speaker, I want to thank the gentleman from Michigan for the amendment. I think it was a very important amendment and really did make a difference. I was pleased.

I did not plan on speaking. I have a special order with regard to the AIDS children in the orphanages in Romania. But I wanted to also thank the gentleman for mentioning Germany, because I think the same thing has to hold true there.

As I said the other day on the floor when I spoke on behalf of the gentleman's amendment, I have never supported a protectionist bill since I have been in the Congress. I believe in free and open and fair trade. I believe the Japanese and Germans are our allies and will be good allies in the future.

But as the gentleman said, it really does not sit well with the American people when we see the West Germans

paying \$8 billion to the Soviets to pay for retraining of Soviet soldiers, paying for taking the Soviet soldiers out of East Germany and back to the Soviet Union, and then paying to rebuild housing for the Soviet soldiers when they return to the Soviet Union.

I have been in West Germany, and I have seen the tough conditions that our soldiers have lived in. Many of the young married couples have had to live out on the economy when the dollar was very weak, and when our young men and women were in a very difficult situation. I think in terms of the Berlin brigade that was there as a tripwire along that Berlin Wall for so many years. I look at the price the American people gladly paid in the Berlin airlift, and the young men and women who lost their lives, and those aircraft landing and taking off every 30 seconds. I think of the times that young men and women have been separated from their families on Christmas, New Year's, Thanksgiving, and different things like that.

So I think the gentleman is exactly right. The fact is I am very pleased he got up and addressed the one-half of the amendment, and I am pleased that he mentioned that because the word should go forth if the German Government is listening that the American people, if the Bonior vote had been held and the Bonior vote also included West Germany, I honestly and sincerely and firmly believe that the vote asking the West Germans to participate the way that the Japanese have would have been exactly the same.

So I thank the gentleman for his amendment and for addressing this issue.

Mr. BONIOR. I thank the gentleman from Virginia for his comments. I would say in response the amendment was drafted before the Persian Gulf crisis. Had I had an opportunity to redraft it, certainly it would have been broadened.

I also want to mention when I met Mr. Kohl and Mr. Genscher I think perhaps 6 months ago, I raised the issue with them of the United States having made tremendous sacrifices on behalf of their country over the last 45 years. They recognize that. I emphasized at that time to both of them at that meeting the necessity for them to be more forthcoming in the future. I am hopeful, and I will be extremely disappointed, as well as other Members of this Congress, if they are not generous, and I mean generous in their pledge of support to Secretary Baker this weekend.

Mr. WOLF. I thank the gentleman, and my expectations are that I am hopeful too, and I honestly and sincerely believe the Germans will be very, very forthcoming in the meeting tomorrow with Secretary Baker, because they are allies, and they are our

friends, as are the Japanese. So I am very hopeful.

But I do want to thank the gentleman for taking the leadership.

Mr. BONIOR. I thank the gentleman from Virginia and I yield back the balance of my time.

□ 1040

THE PLIGHT OF INSTITUTIONALIZED CHILDREN IN ROMANIA

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Virginia [Mr. WOLF] is recognized for 60 minutes.

Mr. WOLF. Mr. Speaker, I would like to address my colleagues concerning the plight of the 60,000 to 100,000 institutionalized children in the country of Romania. This past month, I traveled to Romania and spent considerable time visiting orphanages in that country. I want to commend the dozens of groups whom I have either met or of whom I have heard, which are trying to help these children who are undoubtedly the most innocent victims of the Ceausescu regime.

The situation in these orphanages—by which I mean all institutions which take care of either unwanted or in some way handicapped children—has clearly gotten better over the past 9 months. Since the revolution, dozens of organizations from the United States, England, France, and Scandinavian countries have done a tremendous job of alleviating some of the urgent needs of many of these institutions. From our country, people from USAID, the Peace Corps, World Vision, the Center for Disease Control, and a host of other smaller, private groups have begun sending medical and technical assistance to these orphanages. The American media also deserves credit for bringing the plight of these children to the attention of the American public.

Currently the institutions which need the most help are what have been known as homes for the irrecoverable. These institutions are places where children are sent after graduating from other institutions. The children here range in age from about 8 to 15. They are almost always poorly fed, poorly clothed—if clothed at all—and receive almost no medical care. They have essentially been written off the list by Romanian authorities who do not have the knowledge of how or the ability to care for them. Since the need is greatest in these places, all aid being given or used in conjunction with U.S. Government aid will focus upon these places first, and other institutions second.

I would like to take a few minutes to do two things: First, to give a brief overview of what some United States agencies are doing to help these children in Romania, and second, to let

my colleagues know what remains to be done to help solve this problem.

Regarding what is being done, last Wednesday, Donna Givens, Deputy Assistant Secretary for Human Development Services at the Department of Health and Human Services, hosted a meeting attended by several organizations working on the orphan problem in Romania. It was exciting to hear about the work these groups are doing in that country. At this point, the two largest U.S. groups either working or planning to work there include PACT [Private Agencies Collaborating Together] and UNICEF. These two groups each received half of the \$4 million allocated by the Congress this year to help these unwanted or in other ways handicapped children of Romania.

PACT, which is a consortium of 29 private organizations including Project Concern International, is currently working at four institutions and plans eventually to work at eight, helping over 7,000 children in Romania. One organization which is working closely with PACT is World Vision, whose aid effort in Romania is being headed by two doctors, Jim and Barbara Bascom.

While I was in Romania, I spent time with the Drs. Bascom and was very impressed by their work. They have been there for 3 years, and are trying to help these children in three ways:

First, they want to implement a testing program to accurately diagnose the condition of these children. After nurturing the boys and girls for a period of time, they then hope to accurately assess the needs of the children, and then care for them accordingly. Presently almost none of the Romanian personnel in the orphanages know how to adequately test children under their care. Many children who are simply malnourished or sick are grouped with children who are retarded or mentally disturbed. World Vision wants to care for and accurately diagnose these children and then give them the help they need.

Second, World Vision wants to rehabilitate these children by training both foreign and native staff workers to stimulate and educate them. In the past, the Romanians have focused upon helping the children survive, but have not known how or been able to help them develop into normal, functioning boys and girls.

Third, World Vision wants to educate Romanian doctors, nurses and other medical personnel about child health treatment and development. Right now there are almost no trained personnel working at these orphanages. Many of the nurses in the orphanages have no training other than 3 years of elementary education. Many of the orphanages have no physicians,

and the ones who are there are often ignorant about pediatric medicine.

Education is one of the major areas where PACT—along with World Vision—would like to focus its assistance. By utilizing the knowledge and expertise of various American medical schools, the American Academy of Pediatrics and the American College of Surgeons, PACT not only hopes to provide some foreign staff at these orphanages, but train native personnel who could potentially help as many as 40,000 orphans in Romania.

UNICEF appears to be in the planning stage of its program. It will be providing antibiotics to various institutions in Romania, and hopes to help the Romanian Government coordinate its efforts in tackling this problem, which ultimately must happen since foreign governments and private organizations cannot be expected to maintain these programs indefinitely. UNICEF, in conjunction with the Peace Corps, hopes to train staff at various orphanages and work toward long-term solutions to this problem.

Some of the most amazing stories I have heard, however, include not only large organizations, but small, privately funded efforts to help the orphans. Among those are the Romania Relief Team, the Romania Free Foundation, and the efforts of one private citizen who has made a difference in the lives of hundreds of children.

The Romania Relief Team is a private organization led by Mr. Neil Romano. That group has adopted seven institutions in Romania, has sent medical and technical teams to each, and is committed to supplying each of those institutions with necessary supplies and personnel for the foreseeable future. Over the next year, they hope to expand their efforts to 20 institutions, including hospice centers for long-term care. They are also delivering 100,000 AIDS-testing kits to Romania hospitals and clinics, since anywhere from 10 to 20 percent of the orphans in that country have tested positive for AIDS.

The Free Romania Foundation, which just started last December, has sent 12 tons of supplies, over 40 volunteers and is also working with universities and teaching centers in Romania to train Romanian personnel to staff their projects. They and other organizations are committed to deinstitutionalizing as many children as possible, partly by opening homes for the orphans where they can receive more personal care and be trained on how to live in a family and in a community. In addition, they will be opening a 50-bed hospital for handicapped children, adequately staffed and supplied to care for boys and girls who now receive little or no care. They are also providing adoption assistance to Americans interested in adopting Romanian orphans.

There are many, many other organizations which deserve credit. I, obviously, can't mention them all, but a few I know of include Help the Children of Romania, the Help Romania Fund, Christian Aid Ministries in Oberlin, OH, and Project Hope.

I would, however, like to mention one local citizen who I think exemplifies the fact that yes, indeed, one person can make a difference. Her name is Mary Zalar. Dr. Zalar is a local anesthesiologist, works half time, and has for years used her own time and money to help the poor and underprivileged here in Washington, DC.

Recently Dr. Zalar and a friend in England heard about the plight of the orphans in Romania. They, along with some of their friends, quickly organized two teams of 14 people each to work with two orphanages and two hospitals in Romania.

Upon arriving they soon found two major problems—nonwithstanding the obvious problems with facilities, lack of supplies and equipment. First, they found—as I mentioned earlier—that there was no set procedure for diagnosing the condition of the children. Second, they found that the records being kept at these facilities were very detailed but not very accurate.

In addition to tackling these two problems of diagnosing children and keeping accurate records, Dr. Zalar and those with her brought supplies to these orphanages, and with the help of a plumber who came with them, built restroom facilities which were, at that point, almost nonexistent. They have continued to keep in contact with these organizations, have organized overland truck routes to ship supplies to these orphanages, and established a fairly effective system of preventing their shipments from being stolen—a problem which has plagued some other aid efforts. It is true not everyone has the education and personal resources available to Dr. Zalar, but her example should serve as encouragement to any and all Americans that yes, you can make a difference in these children's lives.

Now, concerning what remains to be done, many of us have seen the reports of the material aid which has been sent to the Romanian orphanages. Obviously there is still need for that, but I must say that, now that supply lines have been opened, three large tasks remain ahead of us.

The first is coordination. With the myriad of large and small, public and private organizations going into Romania, coordination of effort is lacking. It is my hope that within the next few months we can establish a clearinghouse for assistance to the Romanian orphans to help groups avoid duplicating efforts, and to ensure that help is given where it is most needed.

Right now PACT [Private Agencies Collaborating Together] is serving as a clearinghouse for aid efforts, at least among groups working in conjunction with the Federal Government. Their Washington director, Bob McAlister, can be reached at 202-872-0933. I would encourage any group desiring to send aid to Romania to contact PACT for information about what is being done, and what remains to be done.

A second major need for future work is in the area of training and education. As I have mentioned, many of these groups do plan to help train orphanage workers and other medical personnel about child care. But even more importantly, the Romanians working with these children and the communities where these orphans live must be shown that many of these children are recoverable. Some of the children do make it from orphanages back into their original homes, but many either die of neglect or are sent to homes for the irrecoverable, where conditions, to say the least, are horrible.

In addition to showing that the children are recoverable, nurses and social workers must be taught how to run programs for child education and development. Simply training nurses how to be better nurses is not enough. We need people trained in child psychology and development to work with the children to help them become active members of society. The Drs. Bascom want to do this as part of their work with World Vision, but much, much more needs to be done.

The third area is one where we here in Congress can be of real help, and that is in the area of helping programs to detect and treat AIDS in Romania. Dr. Brad Hersch from the Center for Disease Control in Atlanta has reported that there are currently only 14 AIDS-testing machines in Romania, a country with 41 health districts and a population of 23 million people. That is compared with a city like Washington, DC, with a population one-eighth the size of Romania, which has hundreds of such machines.

As of July 31 of this year, there were 867 reported cases of AIDS in Romania. Of these, 809, or 93 percent, were children—mostly orphans—under 4 years of age. Most of their mothers do not have AIDS, so it is almost certain that they were given the disease because of injections received in the orphanages. Improvements are being made, but there is an urgent need for additional testing machines and training for personnel to use them.

Mr. Speaker, I appreciate the concern many Members of Congress have shown about this issue, and hope that my colleagues will continue to show their support in the future.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

(The following Members (at the request of Mr. DORGAN of North Dakota) to revise and extend their remarks and include extraneous material:)

Mr. DORGAN of North Dakota, for 5 minutes, today.

Mr. JOHNSON of South Dakota, for 5 minutes, today.

Mr. ANNUNZIO, for 5 minutes, today.

Mr. BONIOR.

EXTENSION OF REMARKS

By unanimous consent, permission to revise and extend remarks was granted to:

(The following Members (at the request of Mr. DORGAN of North Dakota) and to include extraneous matter:)

Mr. STARK.

ADJOURNMENT

Mr. WOLF. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 11 o'clock and 2 minutes a.m.), under its previous order, the House adjourned until Monday, September 17, 1990, at 12 m.

EXPENDITURE REPORTS CONCERNING OFFICIAL FOREIGN TRAVEL

Report of various committees of the U.S. House of Representatives concerning foreign currencies and U.S. dollars utilized by them during the second quarter of 1990 pursuant to Public Law 95-384, as well as reports and amended reports to the consolidated reports of official foreign travel authorized by the Speaker of the U.S. House of Representatives in the fourth quarter of 1989 and the first and second quarters of 1990, are as follows:

AMENDED REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, DELEGATION TO CANADA, U.S. HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN MAR. 31 AND APR. 4, 1990

Name of Member or employee	Date		Country	Per diem ¹		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²
Michael R. Wessel	4/1	4/4	Canada	550.00	467.69	48.50	309.00			598.50	776.69
Letitia S. Hoadley	3/31	4/2	Canada	390.95	332.44	58.00	202.40			448.95	534.84
Committee total					800.13		511.40				1,311.53

¹ Per diem constitutes lodging and meals.

² If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.

MICHAEL R. WESSELL, Aug. 13, 1990.

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, DELEGATION TO GENEVA, VIENNA, AND BRUSSELS, U.S. HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN OCT. 5 AND OCT. 10, 1989

Name of Member or employee	Date		Country	Per diem ¹		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²
Hon. Richard A. Gephardt	10/6	10/7	Switzerland		416.00						416.00
	10/8	10/9	Italy		169.00						169.00
	10/9	10/10	Brussels		166.36						166.36
U.S. Military Transportation							6,122.62				6,122.62
Hon. Esteban Torres	10/6	10/7	Switzerland		416.00						416.00
	10/8	10/9	Italy		169.00						169.00
	10/9	10/10	Brussels		166.36						166.36
U.S. Military Transportation							6,122.62				6,122.62
Hon. Bob Carr	10/6	10/7	Switzerland		416.00						416.00
	10/8	10/9	Italy		169.00						169.00
	10/9	10/10	Brussels		166.36						166.36
U.S. Military Transportation							6,122.62				6,122.62
Hon. Howard Berman	10/6	10/7	Switzerland		416.00						416.00
	10/8	10/9	Italy		169.00						169.00
	10/9	10/10	Brussels		166.36						166.36
U.S. Military Transportation							6,122.62				6,122.62
Hon. Jim Moody	10/6	10/7	Switzerland		416.00						416.00
	10/8	10/9	Italy		169.00						169.00
	10/9	10/10	Brussels		166.36						166.36
U.S. Military Transportation							6,122.62				6,122.62
Hon. Norman Dicks	10/6	10/7	Switzerland		416.00						416.00
	10/8	10/9	Italy		169.00						169.00
	10/9	10/10	Brussels		166.36						166.36
U.S. Military Transportation							6,122.62				6,122.62
Hon. William Broomfield	10/6	10/7	Switzerland		416.00						416.00
	10/8	10/9	Italy		169.00						169.00
	10/9	10/10	Brussels		166.36						166.36
U.S. Military Transportation							6,122.62				6,122.62
Hon. Robert Lagomarsino	10/6	10/7	Switzerland		416.00						416.00
	10/8	10/9	Italy		169.00						169.00
	10/9	10/10	Brussels		166.36						166.36
U.S. Military Transportation							6,122.62				6,122.62
Hon. Mickey Edwards	10/6	10/7	Switzerland		416.00						416.00
	10/8	10/9	Italy		169.00						169.00
	10/9	10/10	Brussels		166.36						166.36
U.S. Military Transportation							6,122.62				6,122.62
Hon. Joe Hefley	10/6	10/7	Switzerland		416.00						416.00
	10/8	10/9	Italy		169.00						169.00
	10/9	10/10	Brussels		166.36						166.36
U.S. Military Transportation							6,122.62				6,122.62

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, DELEGATION TO GENEVA, VIENNA, AND BRUSSELS, U.S. HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN OCT. 5 AND OCT. 10, 1989—Continued

Name of Member or employee	Date		Country	Per diem ¹		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²
Hon. Porter Goss	10/6	10/7	Switzerland		416.00						416.00
	10/8	10/9	Italy		169.00						169.00
	10/9	10/10	Brussels		166.36						166.36
U.S. Military Transportation							6,122.62				6,122.62
Robert Koch	10/6	10/7	Switzerland		416.00						416.00
	10/8	10/9	Italy		169.00						169.00
	10/9	10/10	Brussels		166.36						166.36
U.S. Military Transportation							6,122.62				6,122.62
Sharon Donakson	10/6	10/7	Switzerland		416.00						416.00
	10/8	10/9	Italy		169.00						169.00
	10/9	10/10	Brussels		166.36						166.36
U.S. Military Transportation							6,122.62				6,122.62
Don Steinberg	10/6	10/7	Switzerland		416.00						416.00
	10/8	10/9	Italy		169.00						169.00
	10/9	10/10	Brussels		166.36						166.36
U.S. Military Transportation							6,122.62				6,122.62
Ivo Spalatin	10/6	10/7	Switzerland		416.00						416.00
	10/8	10/9	Italy		169.00						169.00
	10/9	10/10	Brussels		166.36						166.36
U.S. Military Transportation							6,122.62				6,122.62
Janey Hatcher	10/6	10/7	Switzerland		416.00						416.00
	10/8	10/9	Italy		169.00						169.00
	10/9	10/10	Brussels		166.36						166.36
U.S. Military Transportation							6,122.62				6,122.62
Steve Berry	10/6	10/7	Switzerland		416.00						416.00
	10/8	10/9	Italy		169.00						169.00
	10/9	10/10	Brussels		166.36						166.36
U.S. Military Transportation							6,122.62				6,122.62
Bill Inglee	10/6	10/7	Switzerland		416.00						416.00
	10/8	10/9	Italy		169.00						169.00
	10/9	10/10	Brussels		166.36						166.36
U.S. Military Transportation							6,122.62				6,122.62
Tim Lanigan	10/6	10/7	Switzerland		416.00						416.00
	10/8	10/9	Italy		169.00						169.00
	10/9	10/10	Brussels		166.36						166.36
U.S. Military Transportation							6,122.62				6,122.62
Keith Jewell	10/6	10/7	Switzerland		416.00						416.00
	10/8	10/9	Italy		169.00						169.00
	10/9	10/10	Brussels		166.36						166.36
U.S. Military Transportation							6,122.62				6,122.62
Committee total					15,027.20		122,452.40				137,479.60

¹ Per diem constitutes lodging and meals.

² If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, DELEGATION TO GERMANY, POLAND, CZECHOSLOVAKIA, HUNGARY, ITALY, AND SWITZERLAND, U.S. HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN DEC. 10 AND DEC. 21, 1989

Name of Member or employee	Date		Country	Per diem ¹		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²
Hon. Richard A. Gephardt	12/11	12/13	Germany		282.00						282.00
	12/13	12/14	Poland		91.00						91.00
	12/14	12/15	Czechoslovakia		96.00						96.00
	12/15	12/15	Hungary		124.00						124.00
	12/15	12/17	Italy		129.00						129.00
	12/17	12/20	Switzerland		447.00						447.00
Commercial transportation							1,454.00				1,454.00
U.S. Military Transportation							1,472.00				1,472.00
Thomas O'Donnell	12/10	12/13	Germany		423.00						423.00
	12/13	12/14	Poland		91.00						91.00
	12/14	12/15	Czechoslovakia		96.00						96.00
	12/15	12/16	Hungary		124.00						124.00
Commercial transportation							1,086.00				1,086.00
U.S. Military Transportation							1,472.61				1,472.61
Donald Steinberg	12/10	12/13	Germany		423.00						423.00
	12/13	12/14	Poland		91.00						91.00
	12/14	12/15	Czechoslovakia		96.00						96.00
	12/15	12/18	Hungary		372.00						372.00
Commercial transportation							1,086.00				1,086.00
U.S. Military Transportation							1,472.61				1,472.61
Paul Begala	12/10	12/13	Germany		423.00						423.00
	12/13	12/14	Poland		91.00						91.00
	12/14	12/15	Czechoslovakia		96.00						96.00
	12/15	12/18	Hungary		372.00						372.00
Commercial transportation							1,086.00				1,086.00
U.S. Military Transportation							1,472.61				1,472.61
Committee total					3,867.00		10,602.44				14,469.44

¹ Per diem constitutes lodging and meals.

² If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, DELEGATION TO PANAMA, U.S. HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN JAN. 4 AND JAN. 5, 1990

Name of Member or employee	Date		Country	Per diem ¹		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²
Hon. Richard A. Gephardt.....	1/4	1/5	Panama.....		15.50						15.50
U.S. Military Transportation.....							1,478.73				1,478.73
Commercial Transportation.....							782.00				782.00
Hon. William H. Gray.....	1/4	1/5	Panama.....		15.50						15.50
U.S. Military Transportation.....							1,478.73				1,478.73
Hon. Robert Kastenmeier.....	1/4	1/5	Panama.....		15.50						15.50
U.S. Military Transportation.....							1,478.73				1,478.73
Hon. Don Edwards.....	1/4	1/5	Panama.....		15.50						15.50
U.S. Military Transportation.....							1,478.73				1,478.73
Hon. Kika de la Garza.....	1/4	1/5	Panama.....		15.50						15.50
U.S. Military Transportation.....							1,478.73				1,478.73
Hon. Lee H. Hamilton.....	1/4	1/5	Panama.....		15.50						15.50
U.S. Military Transportation.....							1,478.73				1,478.73
Hon. Ronald D. Coleman.....	1/4	1/5	Panama.....		15.50						15.50
U.S. Military Transportation.....							1,478.73				1,478.73
Hon. Charles B. Rangel.....	1/4	1/5	Panama.....		15.50						15.50
U.S. Military Transportation.....							1,478.73				1,478.73
Hon. Gerry E. Studds.....	1/4	1/5	Panama.....		15.50						15.50
U.S. Military Transportation.....							1,478.73				1,478.73
Hon. Norman D. Dicks.....	1/4	1/5	Panama.....		15.50						15.50
U.S. Military Transportation.....							1,478.73				1,478.73
Hon. Mary Rose Oakar.....	1/4	1/5	Panama.....		15.50						15.50
U.S. Military Transportation.....							1,478.73				1,478.73
Hon. Thomas R. Carper.....	1/4	1/5	Panama.....		15.50						15.50
U.S. Military Transportation.....							1,478.73				1,478.73
Hon. Jaime B. Fuster.....	1/4	1/5	Panama.....		15.50						15.50
U.S. Military Transportation.....							1,478.73				1,478.73
Hon. Newt Gingrich.....	1/4	1/5	Panama.....		15.50						15.50
U.S. Military Transportation.....							1,478.73				1,478.73
Hon. Henry J. Hyde.....	1/4	1/5	Panama.....		15.50						15.50
U.S. Military Transportation.....							1,478.73				1,478.73
Hon. Mickey Edwards.....	1/4	1/5	Panama.....		15.50						15.50
U.S. Military Transportation.....							1,478.73				1,478.73
Hon. Bob Livingston.....	1/4	1/5	Panama.....		15.50						15.50
U.S. Military Transportation.....							1,478.73				1,478.73
Hon. Toby Roth.....	1/4	1/5	Panama.....		15.50						15.50
U.S. Military Transportation.....							1,478.73				1,478.73
Hon. Olympia J. Snowe.....	1/4	1/5	Panama.....		15.50						15.50
U.S. Military Transportation.....							1,478.73				1,478.73
Hon. Claudine Schneider.....	1/4	1/5	Panama.....		15.50						15.50
U.S. Military Transportation.....							1,478.73				1,478.73
Hon. Dan Burton.....	1/4	1/5	Panama.....		15.50						15.50
U.S. Military Transportation.....							1,478.73				1,478.73
Hon. Larry Combest.....	1/4	1/5	Panama.....		15.50						15.50
U.S. Military Transportation.....							1,478.73				1,478.73
Hon. Michael J. O'Neil.....	1/4	1/5	Panama.....		15.50						15.50
U.S. Military Transportation.....							1,478.73				1,478.73
Hon. Thomas J. O'Donnell.....	1/4	1/5	Panama.....		15.50						15.50
U.S. Military Transportation.....							1,478.73				1,478.73
Hon. Don Steinberg.....	1/4	1/5	Panama.....		15.50						15.50
U.S. Military Transportation.....							1,478.73				1,478.73
Hon. Mark Murray.....	1/4	1/5	Panama.....		15.50						15.50
U.S. Military Transportation.....							1,478.73				1,478.73
Hon. Jim Fairchild.....	1/4	1/5	Panama.....		15.50						15.50
U.S. Military Transportation.....							1,478.73				1,478.73
Hon. R. Spencer Oliver.....	1/4	1/5	Panama.....		15.50						15.50
U.S. Military Transportation.....							1,478.73				1,478.73
Jake Dunman.....	1/4	1/5	Panama.....		15.50						15.50
U.S. Military Transportation.....							1,478.73				1,478.73
Robert J. Fitch.....	1/4	1/5	Panama.....		15.50						15.50
U.S. Military Transportation.....							1,478.73				1,478.73
Louis J. Dupart.....	1/4	1/5	Panama.....		15.50						15.50
U.S. Military Transportation.....							1,478.73				1,478.73
Cher Brooks.....	1/4	1/5	Panama.....		15.50						15.50
U.S. Military Transportation.....							1,478.73				1,478.73
George D. Pence.....	1/4	1/5	Panama.....		15.50						15.50
U.S. Military Transportation.....							1,478.73				1,478.73
Dan Meyer.....	1/4	1/5	Panama.....		15.50						15.50
U.S. Military Transportation.....							1,478.73				1,478.73
Sheila Ward.....	1/4	1/5	Panama.....		15.50						15.50
U.S. Military Transportation.....							1,478.73				1,478.73
Keith Jewell.....	1/4	1/5	Panama.....		15.50						15.50
U.S. Military Transportation.....							1,478.73				1,478.73
Jeffrey Biggs.....	1/4	1/5	Panama.....		15.50						15.50
U.S. Military Transportation.....							1,478.73				1,478.73
Committee total.....					573.50		55,495.01				56,068.51

¹ Per diem constitutes lodging and meals.² If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, DELEGATION TO MEXICO, U.S. HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN JAN. 14 AND JAN. 17, 1990

Name of Member or employee	Date		Country	Per diem ¹		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²
Hon. Richard A. Gephardt.....	1/14	1/15	McAllen, TX.....								
U.S. Military Transportation.....	1/15	1/17	Mexico.....		304.00						304.00
Hon. Ronald Coleman.....	1/14	1/15	McAllen, TX.....				5,086.81				5,086.81
U.S. Military Transportation.....	1/15	1/17	Mexico.....		304.00						304.00
Hon. Sam Gejdenson.....	1/14	1/15	McAllen, TX.....				3,082.00				3,082.00
U.S. Military Transportation.....	1/15	1/17	Mexico.....		304.00						304.00

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, DELEGATION TO MEXICO, U.S. HOUSE OF REPRESENTATIVES, EXPANDED BETWEEN JAN. 14 AND JAN. 17, 1990—Continued

Name of Member or employee	Date		Country	Per diem ¹		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²
U.S. Military Transportation.....							5,086.81				5,086.81
Hon. Solomon Ortiz.....	1/14	1/15	McAllen, TX								
	1/15	1/17	Mexico.....		304.00				2,625.35		304.00
U.S. Military Transportation.....											2,625.35
Hon. Albert Bustamante.....	1/14	1/15	McAllen, TX								
	1/15	1/17	Mexico.....		304.00						304.00
U.S. Military Transportation.....											2,625.35
Hon. Peter Hoagland.....	1/14	1/15	McAllen, TX								
	1/15	1/17	Mexico.....		304.00				2,625.35		304.00
U.S. Military Transportation.....											5,086.81
Donald Steinberg.....	1/14	1/15	McAllen, TX								
	1/15	1/17	Mexico.....		304.00						304.00
U.S. Military Transportation.....											5,086.81
Robert Koch.....	1/14	1/15	McAllen, TX								
	1/15	1/17	Mexico.....		304.00						304.40
U.S. Military Transportation.....											5,086.81
George Stephanopoulos.....	1/14	1/15	McAllen, TX								
	1/15	1/17	Mexico.....		304.00						304.00
U.S. Military Transportation.....											5,086.81
Keith Jewel.....	1/14	1/15	McAllen, TX								
	1/15	1/17	Mexico.....		304.00						304.00
U.S. Military Transportation.....											5,086.81
Hon. Larry Smith.....	1/14	1/15	McAllen, TX								
	1/15	1/17	Mexico.....		304.00						304.00
U.S. Military Transportation.....											5,086.81
Committee total.....					3,344.00		49,027.18				52,371.18

¹ Per diem constitutes lodging and meals.² If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, HON. RICHARD A. GEPHARDT, U.S. HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN FEB. 22 AND FEB. 24, 1990

Name of Member or employee	Date		Country	Per diem ¹		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²
Hon. Richard A. Gephardt.....	2/22	2/24	Belgium.....		214.00						214.00
Commercial transportation.....							4,258.00				4,258.20
Committee totals.....					214.00		4,258.20				4,472.20

¹ Per diem constitutes lodging and meals.² If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, COMMITTEE ON AGRICULTURE, U.S. HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN APR. 1 AND JUNE 30, 1990

Name of Member or employee	Date		Country	Per diem ¹		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²
Hon. E. de la Garza.....	4/8	4/10	Belgium.....		440.00						440.00
	4/10	4/12	Switzerland.....		430.00						430.00
Commercial Transportation.....											4,452.00
Marshall Livingston.....	4/8	4/10	Belgium.....		440.00		4,452.00				440.00
	4/10	4/12	Switzerland.....		430.00						430.00
Commercial Transportation.....											4,284.00
Hon. Ben N. Campbell.....	5/27	5/29	Korea.....		390.00						390.00
Military Transportation.....											6,023.33
Hon. E. de la Garza.....	6/5	6/6	Mexico.....		152.00		6,023.33				152.00
Commercial Transportation.....											933.00
Marshall Livingston.....	6/5	6/6	Mexico.....		152.00						152.00
Commercial Transportation.....											996.00
Xavier Equihua.....	6/5	6/6	Mexico.....		152.00						152.00
Commercial Transportation.....											779.00
Committee totals.....					2,586.00		17,467.33				\$20,053.33

¹ Per diem constitutes lodging and meals.² If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.

E de la GARZA, Chairman, Aug. 30, 1990.

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, COMMITTEE ON ARMED SERVICES, U.S. HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN APR. 1 AND JUNE 30, 1990

Name of Member or employee	Date		Country	Per diem ¹		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²
Visit to Singapore, Thailand, and Indonesia, Apr. 11-16, 1990:											
Hon. Patricia Schroeder.....	4/11	4/12	Singapore.....		194.00						194.00
	4/12	4/15	Thailand.....		528.00						528.00
	4/15	4/16	Indonesia.....		179.00						179.00
Hon. David O'B. Martin.....	4/11	4/12	Singapore.....		194.00						194.00
	4/12	4/15	Thailand.....		528.00						528.00

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, COMMITTEE ON ARMED SERVICES, U.S. HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN APR. 1 AND JUNE 30, 1990—

Continued

Name of Member or employee	Date		Country	Per diem ¹		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²
Hon. Norman Sisisky.....	4/15	4/16	Indonesia.....		179.00						179.00
	4/11	4/12	Singapore.....		194.00						194.00
	4/12	4/15	Thailand.....		528.00						528.00
Hon. Jim Courter.....	4/15	4/16	Indonesia.....		179.00						179.00
	4/11	4/12	Singapore.....		194.00						194.00
	4/12	4/15	Thailand.....		528.00						528.00
Hon. Larry J. Hopkins.....	4/15	4/16	Indonesia.....		179.00						179.00
	4/11	4/12	Singapore.....		194.00						194.00
	4/12	4/15	Thailand.....		528.00						528.00
Hon. Ben Blaz.....	4/15	4/16	Indonesia.....		179.00						179.00
	4/11	4/12	Singapore.....		194.00						194.00
	4/12	4/15	Thailand.....		528.00						528.00
Hon. James V. Hansen.....	4/15	4/16	Indonesia.....		179.00						179.00
	4/11	4/12	Singapore.....		194.00						194.00
	4/12	4/15	Thailand.....		528.00						528.00
Ms. Alma B. Moore.....	4/15	4/16	Indonesia.....		179.00						179.00
	4/11	4/12	Singapore.....		194.00						194.00
	4/12	4/15	Thailand.....		528.00						528.00
Mr. Peter M. Steffes.....	4/15	4/16	Indonesia.....		179.00						179.00
	4/11	4/12	Singapore.....		194.00						194.00
	4/12	4/15	Thailand.....		528.00						528.00
Mr. Robert S. Rangel.....	4/15	4/16	Indonesia.....		179.00						179.00
	4/11	4/12	Singapore.....		194.00						194.00
	4/12	4/15	Thailand.....		528.00						528.00
Mr. Andrew A. Feinstein.....	4/15	4/16	Indonesia.....		179.00						179.00
	4/11	4/12	Singapore.....		194.00						194.00
	4/12	4/15	Thailand.....		528.00						528.00
Delegation expenses.....	4/15	4/16	Indonesia.....		179.00						179.00
Visit to Spain, Germany, and Belgium, May 7-12, 1990:											
Mr. Andrew A. Feinstein.....	5/7	5/7	Spain.....		660.00						660.00
	5/9	5/11	Germany.....		414.00						414.00
	5/12	5/13	Belgium.....		220.00						220.00
Commercial transportation.....							2,552.30				2,552.30
Visit to Republic of Korea, May 27-29, 1990:											
Hon. Frank McCloskey.....	5/27	5/29	Korea.....		390.00						390.00
Hon. James H. Bilbray.....	5/27	5/29	Korea.....		390.00						390.00
Hon. Curt Weldon.....	5/27	5/29	Korea.....		390.00						390.00
Visit to Germany and Belgium, May 30-June 2, 1990:											
Hon. Dennis M. Hertel.....	5/30	5/31	Germany.....		155.00						155.00
	5/31	6/2	Belgium.....		440.00						440.00
Hon. Robert W. Davis.....	5/30	5/31	Germany.....		155.00						155.00
	5/31	6/1	Belgium.....		220.00						220.00
Committee totals.....					13,345.00		2,825.86		790.89		16,961.75

¹ Per diem constitutes lodging and meals.² If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.

LES ASPIN, Chairman, July 31, 1990.

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, COMMITTEE ON APPROPRIATIONS, U.S. HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN APR. 1 AND JUNE 30, 1990

Name of Member or employee	Date		Country	Per diem ¹		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²
Hon. Les AuCoin.....	6/22	6/26	Switzerland.....		675.00						675.00
Commercial transportation.....							4,522.00				4,522.00
Hon. Vic Fazio.....	4/6	4/14	Italy.....		1,482.00						1,482.00
Military transportation.....							4,751.00				4,751.00
Hon. William Lehman.....	5/25	5/28	Italy.....		663.00						663.00
	5/28	6/1	Israel.....		664.00						664.00
	6/1	6/4	Morocco.....		588.00						588.00
Commercial transportation.....							6,067.00				6,067.00
Hon. Bob Traxler.....	5/27	5/29	S. Korea.....		390.00						390.00
Military transportation.....							6,023.33				6,023.33
Hon. Bill Lowery.....	4/6	4/14	Italy.....		1,482.00						1,482.00
Military transportation.....							4,751.00				4,751.00
Robert V. Davis.....	4/7	4/10	Dominican Representative.....		550.00						550.00
	4/10	4/15	United States.....		238.00						238.00
Commercial transportation.....							667.00				667.00
Edward Lombard.....	4/6	4/14	Italy.....		1,482.00						1,482.00
Military transportation.....							4,751.00				4,751.00
William A. Marinelli.....	4/6	4/14	Italy.....		1,482.00						1,482.00
Military transportation.....							4,751.00				4,751.00
Mark W. Murray.....	4/8	4/10	Panama.....		546.00				10.00		556.00
	4/10	4/12	Nicaragua.....		364.00				25.00		389.00
	4/12	4/13	Guatemala.....		99.00				5.00		104.00
Commercial transportation.....							1,557.00				1,557.00
Terry R. Peel.....	4/7	4/11	Panama.....		728.00				27.20		755.20
	4/11	4/12	Nicaragua.....		364.00				25.00		389.00
	4/12	4/13	Guatemala.....		99.00				5.00		104.00
	4/13	4/16	United States.....						25.00		25.00
Commercial transportation.....							1,733.90				1,733.90
Terry R. Peel.....	5/25	5/28	Italy.....		663.00						663.00
	5/28	6/1	Israel.....		664.00						664.00

Name of Member or employee	Date		Country	Per diem ¹		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²
Commercial transportation	6/1	6/4	Morocco		588.00		6,067.00				588.00
George H. Schafer	4/7	4/10	Dominican Republic		450.00						450.00
	4/10	4/12	United States		160.00				16.00		176.00
Commercial transportation							872.00				872.00
William Schuerch	3/30	4/2	Canada		537.00						537.00
Commercial transportation							311.10		63.00		374.10
J. David Willson	5/27	6/1	Germany		790.00						790.00
	6/1	6/2	Belgium		246.00						246.00
	6/2	6/5	United Kingdom		780.00						780.00
Commercial transportation							5,046.78				5,046.78
Committee total					16,774.00		51,871.11		201.20		68,846.31
Appropriations, Surveys, and Investigations Staff:											
Ronald T. Adams	6/11	6/19	England		1,274.75		3,709.39		142.51		5,126.65
	6/19	6/21	Scotland		274.00						274.00
	6/21	6/24	Austria		444.00						444.00
Richard H. Ash	4/29	5/2	England		550.00		3,182.80		146.07		3,878.87
	5/2	5/5	Austria		444.00						444.00
	5/5	5/8	Italy		555.75						555.75
	5/8	5/12	Spain		650.00						650.00
G. Carter Baird	6/10	6/19	England		1,445.75		3,962.42		154.59		5,562.76
	6/19	6/21	Scotland		274.00						274.00
	6/21	6/24	Germany		438.75						438.75
Albert J. Boudreau	4/29	5/1	Spain		143.75		2,280.00		53.46		2,477.21
	5/2	5/4	Sicily		285.00						285.00
	5/4	5/7	Italy		450.00						450.00
	5/7	5/8	Crete		75.00						75.00
	5/8	5/11	Greece		409.50						409.50
Ronald B. Carpenter	4/29	5/5	England		874.25		3,520.00		20.00		4,414.25
	5/5	5/11	Germany		1,045.00						1,045.00
John J. Clynick	4/6	4/14	Korea		978.75		4,119.00		93.57		5,191.32
	4/14	4/20	Thailand		660.00						660.00
	6/11	6/14	Spain		456.75		3,339.00		208.91		4,004.66
	6/14	6/18	Greece		488.00						488.00
	6/18	6/21	Turkey		474.00						474.00
	6/21	6/23	Austria		333.00						333.00
Pierre F. Crosetto	4/29	5/1	Spain		172.50		2,915.00		42.08		3,129.58
	5/1	5/4	Sicily		342.00						342.00
	5/4	5/7	Italy		450.00						450.00
	5/7	5/8	Crete		75.00						75.00
	5/8	5/11	Greece		472.50						472.50
Robert C. Goffus	4/7	4/14	Japan		1,274.00		4,529.00		140.08		5,943.08
	4/14	4/20	Thailand		628.50						628.50
	5/6	5/10	Australia		726.75		6,490.50		79.44		7,296.69
	6/11	6/24	Germany		1,826.25		2,570.00		56.88		4,453.13
Carroll L. Hauer	4/29	5/2	England		550.00		3,192.00		217.14		3,959.14
	5/2	5/5	Austria		444.00						444.00
	5/5	5/8	Italy		555.75						555.75
	5/8	5/12	Spain		637.50						637.50
William P. Haynes	4/29	5/7	Turkey		1,078.75		3,784.00		64.85		4,927.60
	5/7	5/11	Pakistan		396.75						396.75
	5/11	5/12	England		207.50						207.50
Dale E. Ledman	4/29	5/2	England		512.00		3,284.00		17.34		3,813.34
	5/2	5/3	Scotland		94.00						94.00
	5/3	5/6	England		272.00						272.00
	5/6	5/11	Germany		1,167.00						1,167.00
Dennis K. Lutz	4/26	5/11	Germany		2,030.00		2,456.00		31.52		4,517.52
Frank T. Lyons	4/7	4/14	Korea		978.75		3,389.00		162.01		4,529.76
	4/14	4/20	Thailand		660.00						660.00
	6/10	6/14	Spain		456.75		3,579.00		1,485.71		5,521.46
	6/14	6/18	Greece		488.00						488.00
	6/18	6/21	Turkey		513.50						513.50
	6/21	6/28	Saudi Arabia		707.75						707.75
Henry P. McDonald	4/29	5/6	Turkey		1,078.75		3,784.00		103.28		4,996.03
	5/6	5/11	Pakistan		396.75						396.75
	5/11	5/12	England		207.50						207.50
Robert H. Pearre	4/28	5/2	England		550.00		3,192.00		194.56		3,026.56
	5/2	5/5	Austria		444.00						444.00
	5/5	5/8	Italy		555.75						555.75
	5/8	5/12	Spain		637.50						637.50
Robert L. Rebein	4/6	4/14	Japan		1,274.00		4,335.00		162.05		5,771.05
	4/14	4/20	Thailand		628.50						628.50
	5/6	5/10	Australia		726.75		6,490.50		88.85		7,306.10
	6/11	6/24	Germany		1,888.75		2,570.00		27.30		4,486.05
Robert L. Reithwiesner	4/7	4/14	Korea		978.75		4,917.00		31.87		5,927.62
	4/14	4/17	Thailand		346.50						346.50
	4/25	5/11	Germany		2,030.00		2,486.00		17.35		4,533.35
R.W. Vandergrift	4/8	4/10	Dominican Republic		256.75		878.00		181.61		1,316.36
	5/6	5/11	Australia		879.75		6,569.50		45.00		7,494.25
Committee total					43,621.50		95,523.11		3,958.03		143,102.64

¹ Per diem constitutes lodging and meals.² If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.

JAMIE WHITTEN, Chairman, Aug. 6, 1990.

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, COMMITTEE ON EDUCATION AND LABOR, U.S. HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN APR. 1 AND JUNE 30, 1990

Name of Member or employee	Date		Country	Per diem ¹		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²
Sally Lovejoy	5/17	6/2	China		^a 4,450		^(*)				4,500.00
			Hong Kong				^a 378.00				378.00
Hon. Augustus Hawkins	4/5	4/17	Italy		905.00		^a 5,235.00				5,235.00
			Denmark		424.00		389.53				1,294.53

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, COMMITTEE ON EDUCATION AND LABOR, U.S. HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN APR. 1 AND JUNE 30, 1990—Continued

Name of Member or employee	Date		Country	Per diem ¹		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²
Hon. Charles Hayes	4/5	4/17	England				627.53				1,051.53
			Italy		905.00		* 5,235.00				5,235.00
			Denmark		424.00		389.53				1,294.53
Carole Stringer	4/5	4/17	England				627.53				1,051.53
			Italy		905.00		* 5,235.00				5,235.00
			Denmark		424.00		389.53				1,294.53
Teresita Schroeder	4/5	4/17	England				627.53				1,051.53
			Italy		905.00		* 5,235.00				5,235.00
			Denmark		424.00		389.53				1,294.53
Beth Buehlmann	4/5	4/17	England				627.53				1,051.53
			Italy		905.00		* 5,235.00				5,235.00
			Denmark		424.00		389.53				1,294.53
Fred Feinstein	4/10	4/12	Canada		374.00		490.79				\$864.79
Karen Vagley	4/10	4/12	Canada		374.00		509.99				\$883.99
Dorothy Strunk	4/10	4/12	Canada		374.00		509.99				\$883.99
Cathleen Johnson	4/10	4/12	Canada		374.00		509.99				\$883.99
Susan McGuire	6/8	6/13	Switzerland		1,800.00		4,522.00				6,322.00
Dorothy Strunk	6/8	6/13	Switzerland		1,800.00		4,522.00				6,322.00
Randel Johnson	6/15	6/27	Switzerland		2,700.00		4,522.00				7,222.00
Committee total					\$18,891.00		47,225.06				66,116.06

¹ Per diem constitutes lodging and meals.² If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.³ \$4,450 covers cost of subsistence and transportation for overseas portion of travel.⁴ Stateside travel costs.⁵ Per diem and transportation costs in England not available at this time.⁶ Roundtrip transportation costs Dulles Airport/Europe/Dulles Airport.

AUGUSTUS F. HAWKINS, Chairman, July 31, 1990.

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, COMMITTEE ON FOREIGN AFFAIRS, U.S. HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN APR. 1 AND JUNE 30, 1990

Name of Member or employee	Date		Country	Per diem ¹		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²
P. Abbruzzese	4/5	4/8	Iceland		560.00						560.00
Military Transportation							3,600.00				3,600.00
P. Abbruzzese	5/11	5/14	France		912.00						912.00
Military Transportation							4,486.31				4,486.31
Hon. G. Ackerman	4/11	4/11	Germany		204.00						204.00
	4/12	4/15	Ethiopia		534.00		1,400.00				1,934.00
Commercial Transportation							4,804.00				4,804.00
Hon. G. Ackerman	4/30	5/6	Israel		996.00			29.84			1,025.84
Commercial Transportation							5,068.00				5,068.00
Hon. D. Bereuter	5/11	5/14	France		912.00						912.00
Military Transportation							4,486.31				4,486.31
Hon. Wm. Broomfield	5/11	5/14	France		912.00						912.00
Military Transportation							4,486.31				4,486.31
J.J. Brady	5/11	5/14	France		912.00						912.00
Military Transportation							4,486.31				4,486.31
Total					5,942.00		32,817.24		29.84		38,789.08
N. Carman	5/25	5/26	Switzerland		305.00		61.50				366.50
	5/27	6/3	Madagascar		* 1,947.68						947.68
Commercial Transportation	6/4	6/10	Switzerland		1,350.00						947.68
							5,861.00				5,861.00
M. Ennis	5/11	5/14	France		912.00						912.00
Military Transportation							4,486.31				4,486.31
M. Ennis	5/25	5/26	Switzerland		215.00		61.50				366.50
	5/27	6/3	Madagascar		* 890.00						890.00
Commercial Transportation							6,031.00				6,031.00
Hon. D. Fassel	4/5	4/8	Iceland		560.00						560.00
Military Transportation							3,600.00				3,600.00
Hon. D. Fassel	5/11	5/14	France		912.00						912.00
Military Transportation							4,486.31				4,486.31
Total					6,091.68		24,587.62				30,769.30
Hon. E. Feighan	4/7	4/10	Turkey		518.00						518.00
Transportation paid by IPU (Interparliamentary Union)											
D. Finn	5/25	5/26	Switzerland		265.00						265.00
	5/27	6/5	Madagascar		* 961.41						961.41
Commercial Transportation							6,031.00				6,031.00
B. Ford	5/11	5/13	Italy		482.00						482.00
No transportation cost to committee											
R. Hathaway	5/26	5/26	Germany		102.00						102.00
	5/27	5/30	Pakistan		388.00			194.00			582.00
	5/30	6/2	India		229.50						229.50
Commercial Transportation							5,868.00				5,868.00
R. Jenkins	5/11	5/14	France		912.00						912.00
Military Transportation							4,486.31				4,486.31

Name of Member or employee	Date		Country	Per diem ¹		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²
Total					3,857.91		16,385.31		194.00		20,437.22
Hon. T. Lantos	5/26	5/28	Yugoslavia		1,134.00						1,134.00
	5/28	5/31	Albania								
	5/31	6/1	United Kingdom		93.48						93.48
Commercial Transportation							2,222.00				2,222.00
Hon. D. Lukens	5/26	5/29	Czechoslovakia		730.00						730.00
Commercial Transportation							710.00				710.00
Hon. J. Meyers	5/11	5/14	France		912.00						912.00
Military Transportation							4,486.31				4,486.31
N. Mims	5/11	5/14	France		912.00						912.00
Military Transportation							4,486.31				4,486.31
K. Nakamura	5/31	5/31	Philippines		1,032.00						1,032.00
Commercial Transportation							3,475.00				3,475.00
S. Oliver	5/11	5/14	France		912.00						912.00
Military Transportation							4,486.31				4,486.31
Total					5,725.48		19,865.93				25,591.41
B. Paolo	5/29	6/3	United Kingdom		1,080.00		253.51				1,333.51
Commercial Transportation							5,606.00				5,606.00
G. Pitchford	4/1	4/8	Kenya		989.00		178.17				1,167.17
	4/8	4/13	Uganda		825.00						825.00
Commercial Transportation							5,660.00				5,660.00
A. Roberts	4/5	4/8	Iceland		560.00						560.00
Military Transportation							3,600.00				3,600.00
A. Roberts	5/11	5/14	France		912.00						912.00
Military Transportation							4,486.31				4,486.31
S. Roth	5/26	5/31	Philippines		³ 860.00						860.00
	5/31	6/3	Korea		585.00						585.00
Commercial Transportation							3,475.00				3,475.00
R. Scheunemann	4/27	4/30	El Salvador		238.17						238.17
Commercial Transportation							611.00				611.00
Total					6,049.17		23,869.99				29,919.16
D. Schlieker	5/11	5/14	France		912.00						912.00
Military Transportation							4,486.31				4,486.31
J. Sinclair	5/11	5/14	France		912.00						912.00
Military Transportation							4,486.31				4,486.31
M. Slettinger	4/6	4/12	Yugoslavia		610.00		200.00				810.00
No transportation cost to committee											
Hon. S. Solarz	5/26	5/26	Germany		102.00						102.00
	5/27	5/30	Pakistan		388.00		194.00				582.00
	5/30	6/2	India		229.50						229.50
Commercial Transportation							5,853.00				5,853.00
I. Spalatin	5/6	5/9	Spain		330.00						330.00
Commercial Transportation							4,230.00				4,230.00
R. Torricelli	4/11	4/14	Japan		696.00						696.00
	4/14	4/16	Korea		390.00						390.00
Commercial Transportation							5,174.00				5,174.00
Total					4,569.50		24,623.62				29,193.12
J. Weber	5/10	5/15	France		1,140.00						1,140.00
Commercial Transportation							2,653.00				2,653.00
P. Wei	5/10	5/13	Mexico		456.00						456.00
Commercial Transportation							426.00				426.00
P. Yeo	5/12	5/14	United Kingdom		150.00						150.00
Commercial Transportation							557.00				557.00
Total					1,746.00		3,636.00				5,382.00
Grand total for 2d quarter											180,081.29

¹ Per diem constitutes lodging and meals.² If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.³ Represents refunds of unused per diem.

DANTE B. FASCELL, Chairman, July 31, 1990.

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, COMMITTEE ON GOVERNMENT OPERATIONS, U.S. HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN APR. 1 AND JUNE 30, 1990

Name of Member or employee	Date		Country	Per diem ¹		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²
Donald W. Upson	4/16	4/19	Japan		471.00		95.00		80.00		646.00
Committee total					471.00		95.00		80.00		646.00

¹ Per diem constitutes lodging and meals.² If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.

JOHN CONYERS, JR., Chairman, Aug. 17, 1990.

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, COMMITTEE ON MERCHANT MARINE AND FISHERIES, U.S. HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN APR. 1 AND JUNE 30, 1990

Name of Member or employee	Date		Country	Per diem ¹		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²
Melanie Barber.....	4/1	4/9	United Kingdom.....	815.35	1,338.00		^a 3,162.00				4,500.00
Donald J. Barry.....	4/7	4/11	Canada.....		^a 800.00		^a 338.20				1,138.20
Donald J. Barry.....	6/28	7/6	Switzerland.....	3,581.25	2,548.00		^a 2,552.00				5,100.00
Hon. Helen Delich Bentley.....	5/9	5/10	Poland.....				^a 6,562.00				6,562.00
	5/10	5/12	Yugoslavia.....								
	5/12	5/14	Germany.....								
Richard Daschbach.....	5/19	5/27	United Kingdom.....	687.08	1,162.00		^a 3,209.00				
						27.80	^a 47.02				4,418.02
Hon. Robert W. Davis.....	4/20	4/22	Portugal.....		^a 352.00		^a 3,251.45				
							^a 79.59				3,683.04
Hon. Dennis Hertel.....	4/20	4/22	Portugal.....		^a 352.00		^a 3,251.45				
							^a 79.59				3,683.04
James K. McCallum.....	5/6	5/10	Mexico.....		306.00		^a 996.00				1,302.00
James K. McCallum.....	6/10	6/17	Finland.....	5,803.90	1,659.00		^a 1,960.00				
						118.50	^a 29.79				3,648.79
Thomas O. Melius.....	6/28	7/3	Switzerland.....	1,377.4	983.86		^a 2,552.00				3,535.86
Charles O. Moore.....	6/4	6/10	Switzerland.....	1,921.75	1,350.00		^a 2,552.00				3,902.00
E. Raymond O'Malley.....	4/20	4/22	Portugal.....		^a 352.00		^a 2,347.00				
							^a 79.59				2,778.59
E. Raymond O'Malley.....	5/30	5/31	Germany.....	260.87	155.00		^a 4,443.40				
Philip W. Rotondi.....	5/31	6/2	Belgium.....		220.00						4,818.40
Philip W. Rotondi.....	4/18	4/22	Portugal.....	131,120	880.00		^a 2,463.80				3,343.80
Gerald Seifert.....	4/24	4/25	United Kingdom.....		173.00		^a 3,098.00				
	4/25	4/27	Norway.....		464.00						
	4/27	4/28	United Kingdom.....		346.00						4,081.00
Francis Patrick White.....	4/29	4/22	Portugal.....		^a 352.00		^a 2,347.00				
							^a 79.59				2,778.59
Lori Williams.....	6/29	7/9	Netherlands.....	2,015.47	1,074.00		^a 2,416.00				3,490.00
Committee total.....					14,866.86		47,896.47				62,763.33

¹ Per diem constitutes lodging and meals.² If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.^a Commercial airfare.^a Cash advance issued by Department of State.^a Military Transportation.^a Ground transportation.^a Traveler authorized 3 days—\$528; returned early to U.S. and returned \$176 to U.S. Treasury.

WALTER B. JONES, Chairman, Aug. 3, 1990.

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, COMMITTEE ON PUBLIC WORKS AND TRANSPORTATION, U.S. HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN APR. 1 AND JUNE 30, 1990

Name of Member or employee	Date		Country	Per diem ¹		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²
Hon. Peter Defazio.....	5/25	5/28	Italy.....		663.00						663.00
	5/28	6/1	Israel.....		664.00						664.00
	6/1	6/4	Morocco.....		588.00		^a 6,067.00				6,655.00
Committee totals.....					1,915.00		6,067.00				7,982.00

¹ Per diem constitutes lodging and meals.² If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.^a Military Transportation.

GLENN M. ANDERSON, Chairman, July 31, 1990.

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, COMMITTEE ON VETERANS' AFFAIRS, U.S. HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN APR. 1 AND JUNE 30, 1990

Name of Member or employee	Date		Country	Per diem ¹		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²
Hon. G.V. Montgomery.....	5/27	5/29	Korea.....		390.00		6,023.33				6,413.33
Military (Air Force).....											
Hon. Bob Stump.....	5/27	5/29	Korea.....		390.00		6,023.33				6,413.33
Military (Air Force).....											
Mr. James H. Holley.....	5/27	5/29	Korea.....		390.00		6,023.33				6,413.33
Military (Air Force).....											
Mr. Thomas R. Gregory.....	5/27	5/29	Korea.....		390.00		6,023.33				6,413.33
Military (Air Force).....											
Committee total.....					1,560.00		24,093.32				25,653.32

¹ Per diem constitutes lodging and meals.² If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.

G.V. MONTGOMERY, Chairman, July 27, 1990.

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, PERMANENT SELECT COMMITTEE ON INTELLIGENCE, U.S. HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN APR. 1 AND JUNE 30, 1990

Name of Member or employee	Date		Country	Per diem ¹		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²
Hon. Anthony C. Beilenson	4/6	4/17	Europe	2,098.00							2,098.00
Military aircraft							4,510.95				4,510.95
Hon. Dave McCurdy	4/6	4/17	Europe	2,098.00							2,098.00
Military aircraft							4,510.95				4,510.95
Hon. Robert A. Roe	4/6	4/17	Europe	2,098.00							2,098.00
Military aircraft							4,510.95				4,510.95
Hon. Matthew F. McHugh	4/6	4/17	Europe	2,098.00							2,098.00
Military aircraft							4,510.95				4,510.95
Hon. Charles Wilson	4/6	4/17	Europe	2,098.00							2,098.00
Military aircraft							4,510.95				4,510.95
Hon. Dan Glickman	4/6	4/17	Europe	2,098.00							2,098.00
Military aircraft							4,510.95				4,510.95
Hon. Bill Richardson	4/9	4/17	Europe	1,426.00							1,426.00
Military aircraft							3,013.79				3,013.79
Commercial aircraft							1,488.00				1,488.00
Hon. Henry J. Hyde	4/9	4/17	Europe	1,426.00							1,426.00
Commercial aircraft							1,396.00				1,396.00
Military aircraft							3,013.79				3,013.79
Hon. Bud Shuster	4/6	4/13	Europe	1,494.00							1,494.00
Commercial aircraft							1,432.82				1,432.82
Military aircraft							2,119.37				2,119.37
Hon. Doug Bereuter	4/6	4/17	Europe	2,098.00							2,098.00
Military aircraft							4,510.95				4,510.95
Daniel A. Childs, Jr., Staff	4/6	4/17	Europe	2,098.00							2,098.00
Military aircraft							4,510.95				4,510.95
Richard H. Giza, Staff	4/6	4/17	Europe	2,098.00							2,098.00
Military aircraft							4,510.95				4,510.95
Robert J. Fitch, Staff	4/6	4/17	Europe	2,098.00							2,098.00
Military aircraft							4,510.95				4,510.95
Kenneth M. Kodama, Staff	4/6	4/17	Europe	2,098.00							2,098.00
Military aircraft							4,510.95				4,510.95
Thomas R. Smeeton, Staff	4/6	4/17	Europe	2,098.00							2,098.00
Military aircraft							4,510.95				4,510.95
Louis H. Dupart, Staff	4/6	4/17	Europe	2,098.00							2,098.00
Military aircraft							4,510.95				4,510.95
John G. Keilher, Staff	4/11	4/28	Europe	1,344.00			103.42				1,447.42
Commercial aircraft							2,530.00				2,530.00
Committee total				32,964.00			73,739.54				106,703.54

¹ Per diem constitutes lodging and meals.² If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.

ANTHONY C. BEILENSON, Chairman, July 31, 1990.

EXECUTIVE COMMUNICATIONS, ETC.

3883. Under clause 2 of rule XXIV, a letter from the Secretary of Housing and Urban Development, transmitting HUD's internal control review of the capital and administrative requirements of the Multifamily Coinsurance Programs, pursuant to Public Law 101-235, section 139(a) (103 Stat. 2030), was taken from the Speaker's table, referred to the Committee on Banking, Finance and Urban Affairs.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. JONES of North Carolina: Committee on Merchant Marine and Fisheries. H.R. 5254. A bill to authorize appropriations to carry out the Fish and Wildlife Conservation Act of 1980 for fiscal years 1991 and 1992 (Rept. 101-700). Referred to the Committee of the Whole House on the State of the Union.

Mr. JONES of North Carolina: Committee on Merchant Marine and Fisheries. H.R. 5255. A bill to amend the National Fish and Wildlife Foundation Establishment Act to authorize appropriations for the National Fish and Wildlife Foundation for fiscal

years 1991, 1992, and 1993, and for other purposes; with an amendment (Rept. No. 101-701). Referred to the Committee of the Whole House on the State of the Union.

Mr. JONES of North Carolina: Committee on Merchant Marine and Fisheries. H.R. 188. A bill relating to the rights and interest of the United States of America under a conservation easement affecting certain land in Wood County, Texas (Rept. 101-702). Referred to the Committee of the Whole House on the State of the Union.

Mr. ANDERSON: Committee on Public Works and Transportation. H.R. 4323. A bill to amend the Federal Water Pollution Control Act relating to water quality in the Great Lakes; with an amendment (Rept. 101-704). Referred to the Committee of the Whole House on the State of the Union.

Mr. ANDERSON: Committee on Public Works and Transportation. H.R. 5314. A bill to provide for the conservation and development of water and related resources, to authorize the United States Army Corps of Engineers civil works program to construct various projects for improvements to the Nation's infrastructure, and for other purposes; with an amendment (Rept. 101-705). Referred to the Committee of the Whole House on the State of the Union.

REPORTED BILLS SEQUENTIALLY REFERRED

Under clause 5 of rule X, bills and reports were delivered to the Clerk for printing, and bills referred as follows:

Mr. JONES of North Carolina: Committee on Merchant Marine and Fisheries. H.R. 5264. A bill to authorize modification of the boundaries of the Alaska Maritime National Wildlife Refuge; with an amendment; referred to the Committee on Interior and Insular Affairs for a period ending not later than September 17, 1990, for consideration of such provisions of the bill and amendment as fall within the jurisdiction of that committee pursuant to clause 1(l), rule X. (Rept. 101-703, Pt. 1) Ordered to be printed.

SUBSEQUENT ACTION ON A REPORTED BILL SEQUENTIALLY REFERRED

Under clause 5 of rule X the following action was taken by the Speaker:

H.R. 2840. Committee on Public Works and Transportation discharged. Referral to the Committee on Banking, Finance and Urban Affairs extended for a period ending not later than September 18, 1990.

PUBLIC BILLS AND RESOLUTIONS

Under clause 5 of rule X and clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. MACHTLEY:

H.R. 5624. A bill to amend title 38, United States Code, with respect to benefits for veterans who may have been exposed to ioniz-

ing radiation during military service, and for other purposes; to the Committee on Veterans' Affairs.

By Mr. RUSSO (for himself and Mr. SLATTERY):

H.R. 5625. A bill to extend for 2 years the transfer to certain railroad accounts of increases in revenue attributable to the Federal taxation of tier 2 railroad retirement benefits; to the Committee on Ways and Means.

By Mr. STARK:

H.R. 5626. A bill to amend title XVIII of the Social Security Act to reform the regulation of Medicare supplemental policies, and for other purposes; jointly, to the Committees on Ways and Means and Energy and Commerce.

By Mr. SAWYER:

H.R. 5627. A bill to require the Secretary of Health and Human Services to collect, at 2-year intervals, data regarding the number of children in institutions and foster care, and for other purposes; to the Committee on Post Office and Civil Service.

MEMORIALS

Under clause 4 of rule XXII,

494. The SPEAKER presented a memorial of the Legislature of the State of California, relative to Federal labor laws; to the Committee on Education and Labor.

ADDITIONAL SPONSORS

Under clause 4 of rule XXII, sponsors were added to public bills and resolutions as follows:

H.R. 2816: Mr. SAXTON.

H.R. 4492: Mrs. MORELLA.

H.R. 5163: Mr. LAGOMARSINO.

H.R. 5323: Mr. HUBBARD, Mr. HUGHES, Mr. MILLER of Ohio, Mrs. JOHNSON of Connecticut, Mr. DYSON, Mr. GUARINI, Mr. PAXON, Mr. JOHNSON of South Dakota, Mr. TAUKE, Mr. CRAIG, Mr. ROWLAND of Connecticut, Mr. SAXTON, Mrs. ROUKEMA, Mrs. PATTERSON, Mr. LANCASTER, Mr. HOCHBRUECKNER, and Mr. WALGREN.

H.R. 5359: Mr. WAXMAN, Mr. FUSTER, and Mr. DONNELLY.

H.R. 5505: Mr. KASTENMEIER, Mr. SABO, Mrs. SCHROEDER, Mrs. COLLINS, Mr. SIKORSKI, Mr. COLEMAN of Texas, Mr. HOUGHTON, Mr. FASCELL, Mr. SKAGGS, Mr. HOCHBRUECKNER, Mr. NOWAK, Ms. PELOSI, Ms. KAPTUR, Mr. NEAL of Massachusetts, Mr. NEAL of North Carolina, Mr. LEVINE of California, Mr. WAXMAN, Mr. MRAZEK, Mr. PANETTA, Mr. RICHARDSON, and Mr. MACHTELY.

H.R. 5580: Mr. BRYANT and Mrs. PATTERSON.

H.R. 5587: Mr. SAXTON, Mr. STENHOLM, Mr. WOLF, and Mrs. MARTIN of Illinois.

H.R. 5610: Mr. ANNUNZIO, Mr. NEAL of North Carolina, Ms. OAKAR, Mr. VENTO, Mr. BARNARD, Mr. SCHUMER, Mr. LEHMAN of California, Mr. KANJORSKI, Mr. LEACH of Iowa, Mr. SHUMWAY, Mr. ROTH, Mr. GILLMOR, Mr. BARTLETT, Mr. PRICE, Mrs. ROUKEMA, Mr. RIDGE, and Mr. MCCOLLUM.

H.J. Res. 566: Mr. FORD of Tennessee, Mr. SAVAGE, Mr. LEWIS of Georgia, Mr. WILSON, Mr. GONZALEZ, Mr. CLEMENT, Mr. SMITH of Texas, Mr. NIELSON of Utah, Mr. PANETTA, Mr. BROWDER, Mr. SAXTON, Mr. DENNY SMITH, Mr. WALSH, Ms. PELOSI, Mrs. MARTIN of Illinois, and Mr. BURTON of Indiana.

EXTENSIONS OF REMARKS

NO NEW TAXES

HON. PHILIP M. CRANE

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Friday, September 14, 1990

Mr. CRANE. Mr. Speaker, today we find ourselves in the middle of a budget crisis, with an economy teetering on the edge of recession. The summeiteers have been charged with a duty of awesome importance—to develop a budget plan that will fit within the constraints prescribed by the Gramm-Rudman law, and thereby avert the impending sequester. I would not ask my worst enemy to shoulder a burden such as this. These individuals are holding this Nation's economic future in the palm of their hands, while second by second the end of the fiscal year steadily comes to a close. In a situation like this, there is no doubt that compromise is useful, if not necessary, except with regard to one issue—taxes. I commend to my colleagues the August 1990 issue of the *Imprimis*, a publication of Hillsdale College in Hillsdale, MI. In this issue, Warren Brookes outlines in his article "Mr. President, Read Our Lips: No New Taxes," the devastating effects of a tax increase. Mr. Brookes makes it clear that if the summeiteers are truly interested in both solving the immediate budget crisis and also developing a plan that will stimulate future economic growth, then increased taxes must be ruled out as an option.

MR. PRESIDENT, READ OUR LIPS: NO NEW TAXES

(By Warren Brookes)

(Editor's Preview: This is the first of a two-part series featuring prominent Americans' responses to President Bush's abandonment of his unequivocal stance against new taxes. Syndicated columnist Warren Brookes, often credited with being the real father of the "Massachusetts Miracle," explained the little known law of accounting called "tax capitalization" before an audience of over 250 Milwaukee leaders in the May 1990 Shavano Institute for National Leadership seminar, "Does America Need More Taxes?")

For years I have thought of George Roche as a kind of modern-day prophet—but today, I am a believer. How else can we explain that over a year ago he predicted that some of America's most fervent anti-taxers would now be hedging on the question of whether new taxes are necessary?

It is ironic indeed that halfway through the 8th year of the longest peacetime expansion in U.S. recorded economic history—in the 90th month to be exact, the president who is the direct political beneficiary of that recovery should even be tempted, as he now so obviously is, to answer that question in the affirmative.

There is little doubt that President Bush faces a serious fiscal challenge. The FY 1990 budget deficit now appears to be headed toward \$190 billion—nearly \$40 billion above FY 1989. That is because revenues are grow-

ing half as fast (four percent) as predicted (eight percent), and spending is growing much faster (seven percent) than forecast (five percent).

That implies a budget deficit for FY 1991 of \$145-\$195 billion, depending on whose baseline economic and fiscal estimates you accept. Since the Gramm-Rudman-Hollings target is \$64 billion, with a \$10 billion leeway, those high forecasts could force a "sequester," or automatic cut, of \$60-\$120 billion.

Any president might be tempted to accept a significant tax increase of \$30-\$50 billion as part of a "solution." Yet such a tax increase is virtually certain to make the deficit worse, not better. Not only will tax increases stimulate more spending growth, they will do far more harm economically than most politicians and even mainstream economists understand.

TAX CAPITALIZATION: WHY TAXES COST US 10 TIMES OVER

This is because of something called "tax capitalization," an accounting principle used in measuring the influence of tax assessments on the value of assets such as real estate.

Since that value is a function of the income stream the property can earn, any diversion of that stream to higher taxes or increase in that stream from lower taxes will have a multiplier effect on the value depending on the current price earnings ratio of real estate.

If that current return on property is approximately 10 percent, every dollar of income represents \$10 of value. Every dollar of income diverted to taxes reduces that value by \$10. Every dollar of income released by tax reduction increases the value by \$10. Thus accountants know that an increase in the tax assessment of a property has an automatic 10-1 negative impact on value.

Think of the economy as a single business with both fixed and working capital on which an income stream is earned. To the degree that taxes on that business rise and fall, the income stream is lowered or raised. Thus the capital value of that business falls or rises at the nation's effective price earnings ratio, which on corporate bonds is about 10 to 1.

NEW TAXES KILL PROSPERITY

A \$30 billion tax increase on the economy may not seem like much in a \$5.5 trillion GNP—but its real impact is a \$300 billion "tax capitalization" of the asset base of the nation. Since the nation adds less than \$300 billion a year in net new investment, such a tax increase effectively destroys an entire year's capital growth.

That is why President Bush and Congressional leaders are now playing with economic dynamite. Not only will a \$30 billion tax increase generate a likely \$40 billion rise in spending, it will kill ALL capital expansion for at least a year and send the stock market down by at least 300-500 points.

This is why Bush was so right when he told a Republican audience in Boston in 1987, "There's no quicker way to kill prosperity than to raise taxes." In Chicago on

September 13, 1988, he told a national audience of business leaders and economists, "The surest way to kill the recovery is to raise taxes. That will stifle everything from investment and personal savings to consumer spending. It will clamp down on growth. It will invite a recession."

But now Bush is equivocating. The spring 1990 budget summit was clearly intended to explore all options, including raising taxes.

A TALE OF TWO MASSACHUSETTS

No wonder Massachusetts Governor Michael Dukakis, wallowing in the slough of his own 83 percent negative performance despond, with a \$2.3 billion 18-month deficit yawning before him, suddenly cheered up and flew to Washington to gloat that Bush's "no-tax" pledge had been "a fraud."

The governor is unusually well-equipped to identify such duplicity. In 1974, he ran on a similar promise that it was "a lead pipe cinch" that he would NOT have to raise taxes in 1975. But of course he did, passing the largest tax increase in state history, some \$500 million. That broken pledge cost him dearly in the 1978 Democratic primary, when a political neophyte conservative businessman named Ed King threw him out in a shocking landslide upset—running on the explicit promise to roll back the state's highest-in-the-nation property taxes, à la Proposition 13 in California of which Dukakis had said, "the people of Massachusetts are too smart to fall for a dumb idea like that!"

It seems no accident that in the middle-and-working-class communities where property taxes were two and three times the national average, King won pluralities of 15-20 points. In the affluent communities where taxes were at or below the nation, Dukakis scored his only majorities.

Before President Bush makes any deals with the Democrats for higher taxes in return for modest budget reforms of alleged spending cuts, he would do well to study and learn from the Dukakis/Massachusetts experience. It demonstrates the direct connection between taxation and economic growth—between political capital and economic capital. Taxes, he will discover, have not merely a direct but a powerful multiplier effect on both.

During the 1970s when the Massachusetts tax burden as a percent of personal income suddenly soared by 25 percent from about the national average to fifth highest in the nation, its average real personal income growth suddenly plummeted from 91 percent of the U.S. level to 57 percent.

By contrast, during the 1980's when the Massachusetts tax burden fell over 17 percent, to five percent below the nation, its real personal income grew nearly 45 percent faster than the nation's.

To put it in another way, from 1970 to 1978, when it became "Taxachusetts," the Bay State fell from 33rd in growth rate among states to 47th, and its per capita personal income fell from 10 percent above the nation to less than two percent above—while its tax burden jumped almost 25 percent.

● This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.

Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.

By contrast from 1978 to 1983, while its tax burden fell 17 percent, it rose from third slowest growing in the nation to third fastest, and its per capita income rose from three percent above the nation to 14 percent above it—the largest and fastest turnaround in U.S. history, from the Taxachusetts Swamp to the Massachusetts Miracle in only five years.

FROM FISCAL RESTRAINT TO SPENDING BOOM ***

Sadly, it is now all too clear that Mike Dukakis had no idea what caused this turnaround or he would not have fought it at every step and then so willingly risked squandering it the way he did.

In June 1984, a booming and fiscally flourishing Massachusetts had its bond rating raised to AA. The same month, the state manufacturing base rose to 684,000 jobs, the highest level since the late 1960s in a state whose economy was literally exploding, after surviving the worst U.S. recession in postwar history with surprising ease. State revenues were growing at a 12-14 percent annual rate, 30 percent faster than its spending level, and unemployment was dropping by the month.

Unfortunately, that huge revenue surge merely encouraged a newly re-elected and rejuvenated Dukakis to go on a spending spree, partly to pay off the special interests that had brought him back to office, and partly to build a powerful new campaign army for the 1987-88 national run.

State payrolls which had fallen by 6,000 under King re-exploded by 23,000 under Dukakis. State borrowing for housing development doubled in four years. State executive department spending, which had been going down in real terms under King, took off and rose to triple-inflation rate levels 30-40 percent faster than the nation's.

The results were neither pretty nor hard to predict. A state that had been running four percent annual surpluses through FY 1986 suddenly started running annual deficits of six percent. An FY 1986 state surplus of more than \$600 million suddenly turned into a \$1 billion deficit by FY 1989. A state that had been trying to fund its huge pension liability was secretly borrowing from it by the end of 1988, and running \$300 million overdrafts at major Boston banks. Revenues that had been rising nearly 13 percent a year from FY 1984 through FY 1987 fell to a two percent annual rise FY 1988 through FY 1990, and are down this year one percent from 1989.

*** TO TOTAL FISCAL DISASTER

Above all, an economy that had been booming at one of the fastest rates in the nation began to fall apart under the pressure of that government explosion. As we speak, the once proud manufacturing job level is below 560,000 jobs, a 124,000 job plunge in a 4-year period when the nation's manufacturing jobs have actually risen by nearly 100,000. The state's total employment in March was 70,000 lower than in March of 1989, and its unemployment was 61,000 higher, rising from 3.3 percent to 5.4 percent. In spite of more than \$400 million in special employment and training programs for welfare mothers, the welfare case load is almost 2,000 higher than it was when that program started in 1984.

In March, the state's bond rating was lowered for the third straight time, this time to BBB by Standard and Poors and Baa by Moody's. Not only is that the lowest bond rating of the 50 states, it is only one very small step above junk bonds.

Last December, just to meet its current obligations to distribute local aid to the cities and towns, Massachusetts had to obtain a \$1.2 billion line of credit from Japanese banks—a line that comes due this September. In fact, the state warned cities and towns it could not make all its June local aid distributions, even though the state Supreme Court has ordered it to reinstate some \$200 million it cut last fall.

Despite significant \$300 million plus tax increases in 1988 and 1989, the state is now staring at a total fiscal disaster. State spending that was supposed to have been cut in FY 1989, instead rose by 11.5 percent. Through April, the current FY 1990 budget was in the red by a little under \$800 million, headed for a fiscal year gap of over \$1 billion. The state legislature is now trying to resolve the differences between a \$1.3 billion tax increase passed by the House and \$1.6 billion passed by the Senate. Both were rushed through as the Japanese creditors were calling in their notes. The day that latter increase was passed two of the state's oldest institutions checked out. Boston Gear decided to move to North Carolina taking all of its manufacturing jobs with it and the FDIC took over the venerable Merchant's Bank as insolvent.

Those were merely the latest evidences of the fallout from what one of the bond rating vice presidents called "the worst case of fiscal mismanagement I have ever seen. . . ."

THE DESTRUCTION OF POLITICAL CAPITAL

At the heart of that bond-rating problem was not so much an impoverished economy as the disastrous slide in political capital which made either serious budget-cutting or significant tax increases virtually impossible until immediate bankruptcy was threatened. Over 70 percent of Massachusetts voters now have "no confidence" in state government. The mobs outside the State House recently have had a curiously familiar East European flavor.

This destruction in political capital is now directly causing an equally severe destruction in economic capital. Over the past six months, regulators have forced the four major Boston banks to set aside over \$2.2 billion in additional reserves against losses on real estate loans. Those losses, in turn are the direct result of a sudden collapse of the real estate market.

That market's unprecedented boom in values had been built almost entirely on the capitalization of the major property tax-cut and cap called Proposition 2½ passed by the state in 1980, which stimulated a 22 percent annual rise in property values from 1981 to 1988.

But that growth rate collapsed in 1989, when it became clear that there was no way the state could continue to fund the Proposition 1½ property tax cap with large local aid distributions.

That signaled the likelihood that the cap would not only begin to be over-ridden by fiscally starved communities (nearly 30 have already done so), but might eventually be amended by a desperate legislature. That in turn meant that taxes on property could once again soar and values could once again have to decline.

The results of anxiety about tax levels were almost immediately devastating to the state's real estate market which went from boom to bust within less than 12 months, forcing scores of Bay State banks onto the FDIC credit watch list because of large real estate loans gone sour.

That precipitate reversal in the state economy's fortunes is as clear proof of the direct role of taxation in economic growth and capital formation as the unexpected and rapid rise in those fortunes had been nearly a decade before.

WHAT CAUSED THE MASSACHUSETTS MIRACLE AND ITS DEMISE?

While much has been written about the reasons for Massachusetts' 1973-1983 turnaround, the high-tech boom, the MIT-Harvard Route 128 complex, state development initiatives, industrial revenue bonds, the defense budget, you name it, none of those reasons hold water when tested by economic analysis.

After all, in 1978, Massachusetts had all of those factors going for it in abundance. It has been one of the leading high tech and defense spending states since the 1950s. Harvard and MIT have been around as long as anyone can remember.

But in 1978, the one thing Massachusetts did have that it didn't want or need was not only the fifth highest tax burden in the nation but the highest property taxes, some say, in the world. At the time California passed Proposition 13, its property tax burden was about three percent of market value and over six percent of personal income.

At that same time the Massachusetts property tax burden was 4.5 percent of market value, and over nine percent of personal income. The direct affect of such a massive property tax burden was to depress artificially the value of state property assets. During the 1970s, total market-based real estate values in Massachusetts actually fell about three percent, while in the nation as a whole they rose by over 35 percent in real terms.

Small wonder that at the same time, the state's share of new capital investment fell from an already anemic two percent of the nation in 1970 to less than 1.2 percent in 1978, and its job growth rate dropped to less than half of the nation's. Little wonder also that the political capital of liberal governors, both Republican and Democrat fell with it, paving the way both for the 1978 election of Edward King and the 1980 passage of Proposition 2½.

That combination forced state spending growth to fall in real terms to less than one percent a year and the state's tax burden to fall back to 14.6 percent, a massive three-percentage point drop. By 1983 Massachusetts' personal income was back up to 13 percent above the nation and headed to its current 23 percent lead, and the state became number three in growth.

Skeptics say, but how can tax cuts explain ALL or even the major share of such an amazing turnaround? The answer is remarkably simple—and it is summed up in a single phrase that accountants and investors, especially property investors, understand all too well but economists invariably ignore—tax capitalization.

TAX CAPITALIZATION AT WORK IN MASSACHUSETTS

I've already discussed tax capitalization, but it is a lesson worth repeating: When you buy a piece of property, its value is directly the result of the net income you can expect to earn from it either as a business or as a simple home investor. That income in turn is directly affected by the amount of taxes you have to pay on this investment or this income or both. The higher the tax, the lower the income. The lower the income, the lower the value of the base investment.

What this means is that taxes are in fact "capitalized" as losses, at the average rate of return (or about 10 percent), a price earnings ratio of 10-1. Every real estate investor knows that when property taxes go up 100 dollars, value falls by \$1000, and vice versa; when taxes are cut, value rises. This is neither mystic nor theoretical. It operates as accounting LAW. It is really no different from the relationship between interest rates and bond prices. Those rates are a form of tax on borrowing. The higher the rates the lower the bond is worth and vice versa.

In 1980 Massachusetts voters mandated a nominal property tax cut of \$1.2 billion in discounted present value. They also set a cap that allowed no more than 2.5 percent rise in tax assessments per year. Over a period of six years this meant an implicit tax reduction of some \$7 billion.

In 1981 the instant effect of the implementation of Proposition 2½ was to convert the Massachusetts real estate market from one of the nation's most depressed to one of its hottest. From 1981 to 1987, property values soared at a 22 percent annual rate, the most in the nation. The state's equalized value base shot up from \$89 billion to more than \$224 billion—a real increase in real estate wealth of more than \$90 billion.

Now you say, what has that boom in paper real estate wealth got to do with the economy? Well, think of what the infusion of \$90 billion in new capital value would mean to a state economy whose total gross domestic product was then less than \$90 billion and whose net annual business capital investment was then less than \$1.5 billion a year and whose total tangible worth was less than \$400 billion.

To put it on a national perspective, consider that a Massachusetts-style infusion of wealth would translate into \$3.6 trillion in added tangible worth to the Nation during the period of 1981-1986 when the total tangible worth grew only \$4.4 trillion. Thus the Massachusetts tangible net worth growth from 1981 to 1986 from property values alone was the equivalent of nearly doubling the nation's net worth growth in the same period.

Is it really any wonder that its per capita income jumped from seven percent above the nation in 1981 to 24 percent in 1987, the greatest rise of any state in U.S. history?

Now if you understand this, you will begin to understand why tax capitalization may well explain both the surprising positive benefits of national tax reductions, and the equally astonishing negative impacts of national tax increases.

TAX CAPITALIZATION AFFECTS EVERYTHING

Understand that all taxes represent a diversion of income from the nation's basic capital structure, whether that capital is property, or plant and equipment, or merely working capital needed to keep a business going and a payroll met.

When you increase the taxes on any thing—sales, property, income, capital, payrolls—you are automatically diverting some of the income stream that goes to support the capital that in turn supports those activities. In the aggregate, you have to be reducing the nation's total capital asset base. And if the price earnings ratio of that base is roughly 10 to 1, every dollar you take away from that income to capital stream means you are reducing the value of that asset base by 10 dollars.

Thus when Congress decides to raise taxes by \$30 billion, its real impact is \$300 billion off the capital asset base of the economy. That may not seem like much to a country

whose total capital base is now over \$20 trillion—but remember, that base value is not growing all that rapidly. Consider the fact that in 1989, the nation's net rise in private domestic investment was only \$225 billion after allowing for depreciation or capital consumption, and less than \$100 billion of that net went to non-residential business fixed investment.

A \$30 billion tax hike of any kind will cost the U.S. all of the net rise in real domestic investment and then some, killing most real economic growth in the process. Conversely, a \$30 billion tax cut will have the opposite effect; it will more than double the capital expansion of the nation.

To this day, even conservatives tend to downplay the actual effect of both the Kennedy and Reagan tax cuts. Yet consider that the last time we had nearly nine years of uninterrupted expansion was during the 1960s, which were punctuated by a 29 percent cut in federal income tax rates across the board. In both cases, the immediate effect was to expand the capital asset value of the nation enormously—and the best surrogate for that was and is the stock market. From 1960 to 1968 the S & P 500 rose 44 percent in constant dollars.

But following massive tax increases on capital and income in 1969, during the 1970s the S & P 500 fell in constant dollars by 30 percent. It is significant that the total movements up and then down in equity values is almost exactly the multiplier of price-earnings ratios—10 or 15 to one—times the annualized amounts of the tax cuts and subsequent tax increases.

For example, during the 1980s, we have seen the S & P 500 rise in real terms by 84 percent. If that rise had been applied to all of the equities in the market in 1980 (many of which were removed during leveraged buyouts), it would have raised their total value by some \$800 billion—or slightly more than 13 times the effective annualized Reagan tax cut of \$60 billion a year. In short, the rise and fall of the tax burden has a direct multiplier effect on the nation's equity asset base.

Once you understand this, you will no longer be tempted to think that tax increases are "modest" or "necessary" especially to "reduce the deficit"! As President Bush himself has already warned in his speech to steel workers in Pittsburgh in 1988, "I've been in government a long time and I've seen what happens when government raises a dollar in revenues—Congress spends \$1.50." And at the same time that higher tax dollar is killing \$10 of capital assets on which employment and growth directly depend.

SOCIAL SECURITY TAXES AND THE WAGE BUST

If you still doubt this relationship I ask you to consider one more key example. Since 1972, average weekly wages have fallen dramatically in real terms by 16 percent. In prior 17 years, they rose 30 percent.

If you want to know why, consider one thing: Since 1972, the maximum combined employer/employee Social Security tax rose over 675 percent from \$7,200. In that period while total wages and salaries rose by 312 percent, total Social Security contributions rose by 526 percent.

If Social Security tax rates had remained at 1972 levels, workers would now be paying \$144 billion a year less than they now do. That means that the working capital that supports those wages and those jobs is \$1.44 trillion less than it would be if there had not been that soaring Social Security tax increase.

The annual wage effects alone of that higher working capital base easily translate into two percent real annual wage increases instead of the nearly one percent annual wage losses we experienced.

That demonstrates the economic potential of Senator Daniel Patrick Moynihan's proposal to give back the \$55 billion higher Social Security payments than are now required to pay current benefits. That reduction would translate into an immediate \$550 billion rise in the real working capital of this country—a doubling of the effective capital increase per year. The Democrats were foolish not to grab this idea and run with it. President Bush and Treasury Secretary Nicholas Brady were so transfixed by the deficit they were relieved when the democrats dropped the ball.

LOW TAXES AND HIGH GROWTH: THE NEW HAMPSHIRE MODEL

By now it should be obvious to you that the so-called Massachusetts Miracle was not a miracle at all, but the simple and direct operation of an economic law that is as fixed as the law of supply and demand. Unfortunately, in the middle of that multiplier effect, the state turned from a strong fiscal policy of tight spending control that made the tax cut real to a very loose policy of spending every nickel of an incredible 12-14 percent a year revenue growth. Instead of using that growth to generate still more political and economic capital, they squandered it on their political machinery.

This was in sharp contrast to Massachusetts' neighbor to the north, New Hampshire, which has used the political capital of its commitment to low taxes to build the best performing economy in the nation over last two decades.

It has also demonstrated the ideal model for fiscal and economic policy for the nation as well. For this I commend a 1989 study by Colin and Rosemary Campbell, economists of Dartmouth College, a follow-up to their 1976-77 study. The Campbells have been keeping a close eye on New Hampshire and Vermont for the last 12 years because they provide a nearly perfect economic laboratory.

New Hampshire with the lowest overall tax burden of the nation (no state sales or income tax) is the classic "supply-side" limited government economic model, with 53 percent of its revenues collected and administered by local government and the lowest welfare-recipients-to-population ratio in the nation.

Vermont, right next door, is the quintessential liberal welfare state with one of the top 15 tax burdens, 39 percent higher than New Hampshire's and one of the most generous welfare benefit programs in the nation. Its strong centralized state government raises about 60 percent of all revenues collected in the State.

The question is, how have these two models fared in the generally strong New England high tech economy? Since 1970, New Hampshire has increased its total personal income in constant dollars by 139 percent, nearly double the nation's growth of 71 percent and New England's growth of 69 percent. Per capita income has soared by 69 percent, compared with 43 percent for the nation, from a level four percent below the nation to 13 percent above it.

By contrast, Vermont's per capita income has risen only 48 percent, some 30 percent slower than New Hampshire's, and 15 percent slower than in the New England region as a whole. Since 1970 Vermont's per capita

income has fallen from 93 percent of New Hampshire's to less than 82 percent.

The same contrast holds up in regard to employment. From 1970-1987, New Hampshire's job growth was 98 percent, half again as fast as Vermont's 65 percent and more than double the nation's 44 percent.

Thus, New Hampshire's model outperforms Vermont's on every economic indicator by 40 to 50 percent. One could argue this was because of its proximity to the Boston market. The trouble with that argument is that New Hampshire's job growth has been triple that of Massachusetts for two decades, and 66 percent faster than the nation's. Its personal income growth was nearly double that of Massachusetts in the 1970s and 70 percent faster than the nation's since 1970.

But what does the New Hampshire low-tax, "laissez-faire" model mean for the poor in limiting government services?

The Campbells' answer is: "Most public services in New Hampshire are as good as those in Vermont." There are two reasons for this: First, because New Hampshire's more rapid economic growth has since 1970 generated greater gains in revenue income (585 percent) to all government since than Vermont (397 percent).

Second, because New Hampshire's more locally controlled government administers services in a more cost effective way than Vermont's more centralized bureaucracy, requiring 11 percent fewer bureaucrats per 10,000 population than Vermont.

On education, for example, Vermont spends 39 percent per capita and 14 percent per student more than New Hampshire. But it pays its teachers identical average salaries and has about the same low teacher-to-student ratio. So all of Vermont's extra spending goes into administrative bureaucracy.

On education performance New Hampshire has the highest SAT scores in the nation, 24 points higher than Vermont's and its high school completion rate is three points higher.

On health care, New Hampshire outspends Vermont by 26 percent, and on police and fire protection 42 percent more, reflecting its somewhat more urban environment. But New Hampshire's highways, among the best surfaced and best plowed in the nation, cost taxpayers 23 percent less per capita to maintain than Vermont's.

The one area where Vermont does spend a lot more is welfare. Vermont has some of the most generous welfare benefits in the nation, eight percent above New York and 42 percent above New Hampshire. So it is no surprise that Vermont's total welfare caseload is nearly double that of New Hampshire for a state with half the population, and the share of its population on welfare is 3.3 times that of New Hampshire, with 43 percent more Medicaid recipients.

In spite of this—or perhaps because of it—Vermont's poverty rate has stayed stubbornly high at 12.1 percent for the last two decades. Meanwhile, New Hampshire has cut its welfare caseloads by nearly 60 percent since 1970 and its poverty rate by 43 percent, from 14.9 percent, a level higher than Vermont's, to 8.5 percent, the best performance against poverty of any state in the nation.

Most of all New Hampshire dispels the notion that strong economic growth and low welfare produce more income inequity. Not only does New Hampshire have the lowest income inequity (or gini coefficient) of any state in the nation (19 percent lower than the nation) but over the last seven years

that index dropped 21 percent, while the national index rose nearly six percent.

At the same time, Vermont with its progressive income tax and more generous welfare programs has seen income inequity rise five percent to a level 13 percent higher than New Hampshire's.

In sum, New Hampshire has proved that the low-tax-local-government model not only produces the best economic growth for its citizens and reduces poverty the most, but it provides better, more cost-effective human services for those in need and a more equitable society in which a rising tide is lifting all of the boats as President Kennedy argued it should.

New Hampshire also serves as a clear example that when a political pledge of trust against state wide taxes is taken that pledge becomes a veritable political gold-mine that goes on year after year yielding a mother lode of economic capital for the citizens and political capital for politicians.

"NO COINS IN THE FOUNTAIN" BY SAMMY CAHN

HON. BOB CARR

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Friday, September 14, 1990

Mr. CARR. Mr. Speaker, I rise today to call to the attention of my colleagues an opinion I read recently in the New York newspaper *Newsday*.

As both a friend to artists and an aficionado of technology, I have wrestled for a long time over the question of what restrictions, if any, should be placed upon the sales and distribution of digital tape recorders, the so-called "DAT" system.

I was fortunate enough to have come across this article by the highly respected song-writer Sammy Cahn, an individual justifiably famous for such song hits as "Love and Marriage," "High Hopes," and "Call Me Irresponsible." This last song, in fact, was just one of innumerable songs penned by Mr. Cahn and recorded by Frank Sinatra, who considers Mr. Cahn his personal songwriter.

During his many years working both in Hollywood and on Broadway, Mr. Cahn earned four Oscars and several more nominations to compliment his Gold Record for "Thoroughly Modern Millie," and his Emmy for the song "Love and Marriage," the only Emmy ever awarded for a song. Mr. Cahn has also been recognized for his immeasurable talents by his peers, who selected him to serve as president of the National Academy of Popular Music—an office he has held since 1973—and as a member of the board of directors of ASCAP.

Mr. Cahn confesses in his article that he is more comfortable writing songs than writing articles. However, as one of America's most prolific and talented popular composers, his opinion carried a great deal of weight, and I hope that upon reading the following article, his words will carry much weight with each and every one of my colleagues.

Mister Speaker, I ask that attached article be reproduced in its entirety in the *RECORD* immediately following my remarks:

[From *Newsday*, July 27, 1990]

NO COINS IN THE FOUNDATION?

(By Sammy Cahn)

Earlier this month, I found myself doing a very strange thing. Instead of sitting at a typewriter and putting my name to a new lyric, I was putting my name on a class-action suit against the Sony Corporation in an effort to prevent the sale of Sony's DAT (Digital Audio Tape) recorders and blank cassettes in this country.

In this, I speak for thousands of songwriters and music publishers who fear that the use of these machines, which make perfect copies of CDs and digital tapes, will deprive us of income we would otherwise receive from the sale of prerecorded music.

Songwriters are by nature creators, not litigators. (Rhyme?) So why are we bringing this suit? In order to be able, to continue creating words and music. The fact is that if DAT recorders become widely available, and compensation is not provided to creators, all of us who make a living from writing songs will see our income diminish. More important, those who have any hope of making a decent living from writing songs will have much less chance of doing so.

Does our class-action suit mean that the people who create and publish America's songs oppose technology? Hardly. The truth is that music and technology are like a marriage. To quote myself, "They go together like a horse and carriage." Consider the marriages that have made American songs the most significant and best-loved form of expression around the world: music and the phonograph; music and the radio; music and the jukebox; music and movies; music and television; music and cable. Each technological development has brought music to a wider audience; each has made life better for songwriters and has encouraged the creative incentive.

Present at all of these marriages, however, was a third party: copyright protection. With DAT, the music is there, the technology is there, but at this point, copyright holders haven't been invited to the ceremony.

For years, unauthorized taping has deprived songwriters and publishers of sizable royalties from the sale of records. But people continued to buy records (and, more recently, CDs) because the quality of the original is always far superior to taped copies. Now, with the emergence of digital tape and a recorder that makes perfect copies, and absent protection for copyright holders, the people who create and publish songs will be put out of business.

People say it won't happen. But think of how technology ruined the sheet-music business. Remember when sheet music was well stocked in every music store? Well, that industry has all but died. Copying machines appeared, and no effective protection for songwriters and publishers was in place.

DAT recorders pose a similar threat to prerecorded music. No one has any illusions about what DAT will be used for: It allows you, for example, to duplicate on a blank tape that favorite Frank Sinatra CD your best friend owns, with every nuance intact. And if everyone else's best friend does the same thing, you can imagine how record sales will plummet.

As songwriters and music lovers, we appreciate, and welcome, this miraculous technology. But if the songwriters are not protected, there will be no new music to copy, because no one will want to pursue a career in songwriting, knowing that he or she will

never be able to make money from their work.

I've been fortunate enough to have a successful career. And I want the new songwriters to have the same "high hopes" I had coming into the music business. That can happen only if all music lovers support music's creators and second our demand for compensation. Electronics manufacturers, record companies and the copyright owners must sit down together and work this out. Ultimately, we need legislation to assure that royalties are an integral part of the introduction of any digital technologies.

Copyright safeguards, often including a small royalty on recorders and tapes, are already in place in many European countries, as well as Australia, and are being contemplated by a number of other countries. Our lack of similar safeguards has far-reaching international repercussions. For example, Australia, which levies a royalty on blank tapes, denies Americans whose works are copied in Australia their share of those royalties because we have no similar law.

There's no reason this country should lag behind in protecting American music. I appeal for the support of everyone who has ever had a favorite song played "time after time."

INTRODUCTION OF THE MEDIGAP STANDARDS REFORM ACT OF 1990

HON. FORTNEY PETE STARK

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Friday, September 14, 1990

Mr. STARK. Mr. Speaker, I rise today to introduce the Medigap Standards Reform Act of 1990 to improve Medigap policies sold to seniors. This bill modifies H.R. 4242—a bill I introduced earlier this year to address a number of problems in the Medigap market. This bill that I am introducing today would make major improvements in the quality of policies sold in the private Medigap market.

I introduced H.R. 4242 early in the year to give consumer groups, industry representatives and regulatory entities an opportunity to review the proposal and offer comments and suggested modifications. This bill incorporates many of these modifications suggested by consumer groups, industry representatives, insurance agents, and others.

Four out of five senior citizens today own one or more private insurance policies to supplement Medicare coverage. The majority of these policies are commonly known as Medigap. They typically cover Medicare deductibles and copayments, and often cover benefits that are not covered by the Medicare program, such as prescription drugs.

With Medigap premiums for comprehensive policies running as high as \$1,200 per year, seniors are forced to make fundamental sacrifices to purchase adequate financial protection.

This Medigap Standards Reform Act has a number of important features that would provide meaningful assistance to consumers of Medigap policies.

First, the bill is designed to minimize unnecessary confusion among consumers about the benefits and value of private health insurance.

Mr. Speaker, we all know how complicated the insurance market can be—even for educated consumers. But meaningless differences and unnecessary complications can and should be eliminated.

The Medigap Standards Reform Act of 1990 would help consumers compare policies that cover identical or similar benefits. Consumers would have enough information to understand why premiums between policies differ. At long last, consumers would be given sufficient information to make informed purchasing decisions.

Under this proposal, four benefit packages would be established, ranging from standard to comprehensive. They would be described in uniform language and format. Additional benefits, if approved, could be offered as add-ons to the defined benefit packages—provided the benefits are not generally available in the four defined packages. Such additional benefits would be priced separately.

Each State would be permitted to design its own four-benefit package to meet the unique needs of consumers in that State. One of the four packages would be the standard benefit package defined by this act.

In the absence of a State-specific approach to the four standard package, the Secretary, in consultation with the National Association of Insurance Commissions, would define the four benefit packages. The intention would be to create uniform packages within each State, allowing senior consumers to compare the policies available to them.

All Medigap insurers would offer the standard Medigap benefit package to applicants without additional benefits.

Under the provisions of this bill, all benefits covered by a Medigap policy would be defined with uniform language and in a uniform format to help consumers compare policies.

States with alternative approaches to standardization to better promote the interests of seniors could apply to the Secretary to waive the minimum Federal requirements with respect to standardization. The Secretary would be required to respond to such a request within 60 days.

A second objective of this Medigap reform bill is to eliminate unnecessary and costly duplication of coverage. The proposal would modify and clarify existing prohibitions on duplicate coverage.

Seniors are buying more coverage for health benefits than they need. A report recently issued by the American Association of Retired Persons found that 24 percent of seniors with private insurance in addition to Medicare have two or more policies. Even the Health Insurance Association of America, in its own 1989 survey, reported 15 percent of policy owners have two or more policies.

While the NAIC, in its consumer amendments adopted in 1989, recommended changes to limit the sale of duplicate policies, the NAIC's changes are virtually impossible to enforce unless a consumer files a complaint with the State insurance commissioner. It is hard to imagine that a consumer would complain if he or she has been told that the new policy is necessary for some reason or another.

Under the provisions of this bill, if an individual reports an existing policy and does not

report an intention to replace it, then sale of a new policy would be prohibited. If an individual provides false information regarding existing coverage, then the Medigap insurers would not be held responsible for duplicate coverage.

If the individual neither signs the form provided by the Medigap insurer nor answers all questions pertaining to existing coverage prior to sale, then the sale of a new policy would not be permitted.

Direct sales to Medicaid beneficiaries would not be permitted. In cases where States pay the Medigap premiums for Medicaid beneficiaries in lieu of direct payment of Medicare cost sharing, the prohibition would not apply.

In addition, the proposal would establish a data-match system which would facilitate the identification of duplicate Medigap coverage. Medigap insurers would maintain and submit to HHS a computerized list of all policyholders identified by Medicare identification number, name, and address. The lists would be matched and sorted by HHS. Instances of duplicate coverage would be reported to States to improve oversight and enforcement of anti-duplication provisions.

Employers with 100 or more employees would also submit a list of retirees aged 65 and over with employer-sponsored retiree health benefits. Although this bill does not prohibit the sale of a Medigap policy to an individual with retiree health benefits, there is increasing concern that retirees with generous employer-sponsored plans are purchasing unnecessary, redundant Medigap policies.

This proposal would begin to provide the information needed to assess the extent of duplicate coverage between employer-sponsored health plans and Medigap policies.

A third objective of this bill is to improve the value of policies by requiring uniform calculation and enforcement of loss ratios.

The loss ratio provisions of this bill assume that seniors are entitled to a reasonable return on their insurance investment.

According to a recent study by the GAO, the 1988 loss ratios for individually sold policies reported by one third of commercial companies were below the minimum standard of 60 percent.

In other words, one third of the companies were not in compliance with minimum Federal standards. They were paying out less than 60 cents in benefits for every \$1 of premiums they received from their customers. Thus, in these cases, more than 40 cents per dollar are used for sales commissions, overhead, profits, you name it.

Real enforcement of the minimum loss ratio standards are essential for controlling rising Medigap premiums. Many seniors have recently expressed concern about the rising cost of their Medigap policies.

Under this proposal, all Medigap insurers would use a uniform methodology for calculating actual and projected loss ratios.

Uniform enforcement measures for minimum loss ratios would also be defined, and could include rebates, credits, or other sanctions.

As is currently the case, issuers of Medigap policies would be required to file loss ratios on an annual basis with the State. The uniform

reporting of loss ratios will enable the State and Secretary to monitor compliance with minimum loss ratio standards.

The fourth area this proposal would address involves problems of preexisting condition clauses and waiting periods.

Current restrictions on preexisting conditions clauses would be maintained. Any replacement policy, including replacements made by another company, would be prohibited from containing any new preexisting conditions clauses, waiting periods, elimination periods, and probationary periods.

An important new feature of this bill would require Medigap insurers to make policies available to all individuals, regardless of medical history, for a 6-month period after the applicant turns 65. Policies for the working aged would have to be available for a 6-month period when they first enroll in Medicare.

Fifth, this bill would establish minimum loss ratios for dread disease and hospital indemnity policies.

The proposal would establish minimum loss ratios of 55 percent for dread disease and 60 percent for hospital indemnity policies if these policies were sold to or renewed by Medicare beneficiaries.

A sixth area addressed by this bill would strengthen the current regulatory structure for Medigap policies.

Mr. Speaker, there is ample evidence that the current regulatory structure for Medigap insurance is not working adequately to protect consumers interests in most States.

For example, despite NAIC efforts to improve the enforcement of minimum loss ratio standards, a substantial number of companies have failed to meet the NAIC targets. These companies are nonetheless allowed by States to continue to sell their products to State residents.

This proposal would allow States to continue to enforce minimum standards—with Federal involvement only as a last resort.

Under this proposal, the NAIC would revise its Medigap standards within 6 months after the date of enactment. The Secretary would issue regulations 12 months after date of enactment. Such regulations would reflect the NAIC's revised standards providing the NAIC's revised standards carry out the enacted Medigap reform provisions.

States would have 1 year or until the next legislative session to adopt the revised standards.

States would continue to regulate Medigap policies provided the Secretary has certified that the revised Medigap standards have been adopted in entirety and fully enforced by States. States could apply to waive provisions of the Federal standards if they demonstrate that the proposed State plan would provide better protection to consumers.

If a State fails to adopt the revised standards, or enforce the revised standards, then policies sold in that State would have to be certified by the Secretary.

All Medigap policies must be approved by a State in which the policy is issued or by the Secretary prior to sale. Sale of a nonapproved policy would be subject to a substantial premium tax.

Mr. Speaker, there has not been a comprehensive, Federal initiative to reform the Medi-

gap market since the Baucus amendments of 1980. While the Baucus amendments began to set standards for the market, we know all too well that problems persist.

This bill has the support of National Association of Life Underwriters, the National Association of Professional Insurance Agents, Independent Insurance Agents of America, and the National Association of Casualty and Surety Agents.

I urge my colleagues to join me in support of the Medigap Standards Reform Act, a bill that will establish and enforce meaningful standards that would protect consumers of Medigap policies.

A brief summary of the major provisions follows:

THE MEDIGAP STANDARDS REFORM ACT OF 1990

BILL SUMMARY

Standardization of benefit packages

The proposal would establish four benefit packages, ranging from standard to comprehensive, and would provide for uniform language and format.

Duplicate coverage

The proposal would modify and clarify existing prohibitions on duplicate coverage, including a signed statement from applicants prior to sale indicating current coverage.

Direct sales to Medicaid beneficiaries would not be permitted.

In addition, the proposal would establish a data-match system at HHS to facilitate the oversight of anti-duplication provisions.

Uniform calculation of loss ratios

The proposal would provide for Medigap insurers to use a uniform methodology for calculating actual and projected loss ratios.

Minimum loss ratios would remain at the current levels of 60 percent for individually sold policies and 75 percent for group policies.

Pre-existing conditions and medical underwriting

The proposal would codify existing standards with respect to pre-existing conditions and waiting periods.

In addition, the proposal would establish a six-month open enrollment period when individuals become eligible for Medicare or, in the case of the working aged when they enroll in Medicare.

Loss ratios for dread disease and hospital indemnity policies

The proposal would establish minimum loss ratios of 55 percent for dread disease and 60 percent for hospital indemnity policies if policies are sold to or renewed by Medicare beneficiaries.

Administration

The NAIC would revise its Medigap standards within 6 months after the date of enactment.

The Secretary would issue regulations 12 months after date of enactment. Such regulations would reflect the NAIC's revised standards, including uniform enforcement standards, providing the NAIC's revised standards carry out the enacted Medigap reform provisions.

States would have one year or next legislative session to adopt the revised standards.

States would continue to regulate Medigap policies provided the Secretary has certified that the revised Medigap standards have been adopted in entirety and are fully enforced by States.

If a State fails to adopt or enforce the revised standards, then policies sold in that State must be certified by the Secretary.

Medigap policies must be approved by a State or the Secretary.

CASIMIR BIELEN HONOR

HON. MARY ROSE OAKAR

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Friday, September 14, 1990

Ms. OAKAR. Mr. Speaker, I am pleased today to call attention to my good friend of long standing, Casimir Bielen, president of Nationalities Newspapers & Services, Inc., in Cleveland, OH. Casey was recently honored by the Cleveland Society of Poles as the "Good Joe," and received the prestigious Cleveland Society Heritage Award. I wish to submit for inclusion in the CONGRESSIONAL RECORD an account of Casimir Bielen's many awards and accomplishments as it appeared in the community newspaper the Leader:

CASIMIR BIELEN HONORED

Dr. William B. Wladecki, President of the Cleveland Society of Poles, announced that Casimir Bielen has been selected as the "Good Joe" and will receive the prestigious "Cleveland Society Heritage Award". This is the highest honor bestowed by the Society to one of its members for fostering the culture of Poland and promoting the principles of American citizenship.

Dr. Wladecki, furthermore indicated that the "Cleveland Society Heritage Awards Banquet" will be held at Carrie Cerino's Ristorante in North Royalton, Ohio.

Casimir Bielen, Honoree, received his Bachelor of Science degree from Western Reserve University and his Master of Education from Kent State. He served as personnel director in industry prior to retiring as a school principal. While he was serving as Director of Public Affairs for the Ohio Polish American Congress, Aloysius Mazewski, national president and John A. Gronouski, former American Ambassador to Poland, hailed him as an outstanding "activist" for promoting Polonia. He is the president of the nationalities Newspaper & Services and is known as "Mr. Ethnic" for participating in major college ethnic councils. He has been a trustee of Nationalities Service Center, Citizens League, Welfare Federation, Cultural Gardens, Karlin, etc., along with being an officer or member in many other organizations.

State Auditor Joseph T. Ferguson appointed him as his executive assistant. He has held top leadership positions in national, state, county and local politics. He rose from precinct committeeman, to ward president, to ward leader, and vice chairman of the Cuyahoga County Democratic Party under Ray T. Miller. He served as a top ethnic advisor and speech writer to Governor Michael DiSalle, John J. Gilligan, Joseph T. Ferguson, and secretary-treasurer for 16 years for Congressman Charles A. Vanik. Also, the co-general chairman for Congresswoman Mary Rose Oakar during her first successful campaign for Congress.

On the national level, he was the deputy director for Ohio for the Presidential Campaign of Hubert E. Humphrey. He was appointed to the National Democratic Ethnic Committee by President Lyndon B. Johnson. He received "Distinguished Service

Awards" from the National Education Association, Ohio Education Association, Nationalities Services Center, Catholic War Veterans, Ohio Parents and Teachers Association and Polonia Foundation. He is the recipient of the "Polish Journalistic Award" presented to him at American University in Washington, DC by Perspective, Inc., a bi-monthly cultural and educational magazine.

He was the organizer and first general chairman of the "All Nations Festival" still being held annually since 1970 on the Cleveland Mall. He served as past president of the Polonia Foundation of Ohio and is presently serving as director of the Polonia Foundation which grants scholarship grants to students of Polish descent. Also served as public information officer of the Cleveland Society of Poles since 1967. He also served as Executive Vice President of the Cleveland Cultural Garden Federation consisting of 23 ethnic gardens in Rockefeller Park. The first garden was dedicated in 1916. He was a pioneer in air pollution control having served as president of the Ohio Pure Air Association. His thesis on contemporary air pollution was placed on the bibliography list of the U.S. Air Pollution Agency. For two years, he was the co-chairman of the "Annual Steer Roast" sponsored by the Cuyahoga Democratic Party. Over the past 20 years, he served as the public information officer for the Cosmopolitan Democratic League.

He is married to Valera and lives in the Slavic Village.

The Society, founded in 1923, is composed of professional and business men of Polish descent.

THE WHOLE TRUTH

HON. PHILIP M. CRANE

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Friday, September 14, 1990

Mr. CRANE. Mr. Speaker, as many of us observed, those in the media sometimes fail to reveal all the facts when they report on certain issues. Quite often they look only at the parts and don't see the whole picture. It is up to all of us to reveal the facts and set the record straight. In that effort to reveal all the facts, I commend to my colleagues an editorial in the June 1990 issue of *Private Practice* magazine written by its publisher, Dr. Francis A. Davis. Dr. Davis makes some excellent observations which I hope my colleagues will consider as they craft and review legislation.

LET'S NOT TWIST THE TRUTH

(By Francis A. Davis, M.D.)

Every chance they get, many of today's journalists and politicians criticize the United States of America. These cynics never let the facts interfere with their campaign to condemn our country. Let's look at some examples how they twist the truth.

Savings—We hear continuously that Americans save only about 5 percent of their income, a paltry sum compared with savings in other countries. However, we never are reminded that American workers must pay the Social Security tax—15.3 percent this year for employers and employees. When you take this forced savings into consideration, American families are socking away more than 20 percent of their earnings. In fact, U.S. residents are the world's best savers. If a person earning \$20,000 a

year placed his so-called annual savings of \$4,000 in an account that earned 6-percent interest, after 40 years, he would have \$637,536.93. This would give him a monthly income of \$3,187.68, which would permit him to provide for himself and his family when he retired.

Pollution—Despite the impression left by many media reports, the quality of air in the United States has improved steadily during the last 10 years, according to the Environmental Protection Agency.

Infant Mortality—News reports continue to criticize our infant-mortality rate. However, these reports ignore the fact that infant-mortality rates are determined by different methods in different countries. In the United States, the best-trained physicians in the world deliver babies and care for them after birth. The U.S. infant-mortality rate would be near zero if it were left to physicians.

The U.S. Medical-Care System—The news media and other people continue to say that we have a bad medical system and that despite the failure of socialism throughout the world, we need a Canadian-type system. Our nation is better able to provide quality medical care than any other nation. Our problem is that we look to the government and other third parties to pay for that medical care. And in trying to solve this problem, we continue to ask for more government interference in medicine.

We passed the Kerr-Mills Bill in 1962 and the Medicare-Medicaid Bill in 1965; they were supposed to provide medical care for the poor and elderly and solve all our medical problems. Today, however, the government admits that there are 35 million Americans who have no way to pay for their medical care.

In this country, food is distributed almost entirely through the free-enterprise system. Why can't the same be done for medical care? Where are the great minds that will help us get medicine back on the right track?

THE 100TH ANNIVERSARY OF THE EBENEZER UNITED METHODIST CHURCH, QUAKAKE, PA

HON. GUS YATRON

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Friday, September 14, 1990

Mr. YATRON. Mr. Speaker, on September 23, 1990, the members of the Ebenezer United Methodist Church, in Quakake, PA, will celebrate the 100th anniversary of the founding of their church, which was founded on December 11, 1890. I would like to recognize the Ebenezer United Methodist Church, which has contributed so much to the communities of the Sixth District of Pennsylvania.

Since its founding in 1890, the Ebenezer United Methodist Church has stood as a focal point for steadfast spiritual commitment to helping meet and ministering to the needs and hopes of others. After 100 years of activity, the devotion and strength exhibited by the entire congregation stands as a model for all of us to emulate.

I am proud to take this moment to pay special tribute to the Ebenezer United Methodist Church for selflessly and continuously providing the community with guidance, support, and inspiration. I am certain that my colleagues

here in the House join me in offering congratulations to the Ebenezer United Methodist Church on its centennial anniversary and in extending warmest wishes for the church's continued success in its special work.

WHITE HOUSE CONFERENCE ON SMALL BUSINESS

HON. SILVIO O. CONTE

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Friday, September 14, 1990

Mr. CONTE. Mr. Speaker, I rise today to voice my strong support for the White House Conference on Small Business. I have been an advocate of the White House Conference for many years and I gladly sponsored the enabling legislation for the first two conferences in 1980 and 1986. It is with equal pleasure that I act as a cosponsor to H.R. 4773.

I have served on the Small Business Committee since 1965 and I am proud to have worked on a committee so rich with history and accomplishments on behalf of small businesses. Many of our accomplishments over the past 10 years stem from the original two conferences. The White House Conferences provide a much needed focal point for the problems and needs of small businesses, issues that too often go unnoticed.

At the conferences, thousands of dedicated and energetic small businessmen and women come together to prioritize a national small business agenda and advocate its implementation. The State and regional conferences give the delegates the background to offer us concrete recommendations on ways to encourage small business. Their recommendations provide us with a valuable perspective on the effect national policy has on small business. I have worked hard with my colleagues to ensure that as many of those recommendations as possible were implemented. I only regret that we haven't implemented more.

American small business would be the world's fourth greatest economic power if it stood by itself, a resource that we must encourage. They provide the innovation and new jobs that our economy relies upon. The best way we have to foster these important businessmen and women is to listen to them. We must have the White House Conference to ensure that our actions don't impede the entrepreneurial spirit and economic energy of small business.

The future holds many challenges for small business. Rapid advances in technology are changing the way the world does business. The emergence of free-market economies in Eastern Europe offers not only new markets, but new competition. These and other issues need to be addressed from a small business point of view and our national policies shaped with their concerns in mind. Small business can meet these challenges and we should do all we can to work with them for America's future.

Mr. Speaker, I urge all my colleagues to support this continuing effort to bring small business input into the Federal forum.

TRIBUTE TO MR. SAM

HON. RALPH M. HALL

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Friday, September 14, 1990

Mr. HALL of Texas. Mr. Speaker, 50 years ago Sam Rayburn was first elected to the post of Speaker of the U.S. House of Representatives.

Today, a delegation of "Mr. Sam's" colleagues, family, friends, and admirers will honor him in his hometown of Bonham, TX, with the dedication of an 8-foot standing bronze statue and landscaped plaza at the Sam Rayburn Library.

The bronze statue which will be unveiled by Mrs. Lyndon B. Johnson depicts Sam Rayburn in 1940 when he was 58 years old and at the height of his career.

Rayburn was first elected to the U.S. House of Representatives in 1912 and served with 8 U.S. Presidents during his 49 years of service. He was first elected Speaker in September 1940 and held it for 17 years until his death in Bonham, TX in 1961.

When Rayburn was 12 years old, he knew that he wanted to be in public service. In 1906, at the age of 24, he was elected to the Texas Legislature by a margin of 163 votes and in 1911 was elected Speaker of the Texas House. In 1912, he won election to the U.S. House of Representatives. During the next 49 years, Sam Rayburn made history.

As we adjourn today, let us do so in remembrance of Speaker Rayburn.

WHAT'S WRONG WITH AN
OVERBEARING GOVERNMENT

HON. PHILIP M. CRANE

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Friday, September 14, 1990

Mr. CRANE. Mr. Speaker, it has become apparent to me over the years that the founding ideals of a small noninterventionist government have fallen by the wayside. The Federal Government has taken it upon itself to try and legislate a cure for all society's ills. Hillsdale College and its president, George Roche, have consistently warned of the inherent problems with an overbearing government. Recently Hillsdale addressed the issue during the television show "Firing Line" where the topic of debate was, "Government is not the Solution; It is the Problem." In the spirit of education, Hillsdale is also running ads in several national magazines, an example to follow, to demonstrate just how counterproductive a large Federal bureaucracy can be.

TO MAKE THIS NATION WORK, READ THE
DIRECTIONS

(By Dr. George Roche)

What is happening to the United States? We seem to have lost the boundless energy, the inventiveness, the daring that, in a few centuries, produced a nation that is still a shining light to the nations of the world.

But as many of these nations are turning to the democratic ideas long denied, an ennui has developed in America.

The majority of our citizens don't bother to vote. We are losing product leadership in many areas to countries that are demonstrating the innovative leadership we once possessed.

The time has come to look back at the directions . . . the concepts that made this nation work and prosper. Over a century and a half ago, Alexis de Tocqueville in "Democracy in America" wrote, "A man comprehends the influence which the well-being of his country has upon his own; he is aware that the laws permit him to contribute to that prosperity, and he labors to promote it, first because it benefits him, and secondly because it is part of his own work."

That feeling has been lost. It has been lost because in this century the philosophy of collectivism has dominated our political thinking. We have been told that America is a mass homogeneous society best directed by ever-increasing government controls to reach our social goals. This nation is throttled by more and more laws passed, perhaps with the best intentions, but without an understanding of how the ends would be best accomplished.

As society's problems become more and more severe, the dominant voices have only shouted louder and louder for collective solutions, and grown more and more suspicious of anyone who suggested that collective measures might actually be causing more social dislocations than correcting them.

We need a sea-change in our national philosophy. Our laws must empower individuals rather than government. We must re-inspire the old moral values, the thrift and the work ethic, the concept of the responsibility of each individual.

We must re-learn that we achieve personal success from inward motivation.

In this next decade, we must read the directions from the timeless truths of the past. We must develop on our college campuses men and women of vision, creativity, vitality and yes, daring. And citizens who believe in themselves and that they can make a difference. This is a challenging goal for education. This is our mission at Hillsdale College.

PAT BUCHANAN'S SHAME

HON. EDWARD F. FEIGHAN

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Friday, September 14, 1990

Mr. FEIGHAN. Mr. Speaker, today's New York Times includes a column by A.M. Rosenthal about writer and former Presidential adviser, Patrick Buchanan, that deserves a wide audience. Rosenthal criticizes Buchanan for stating, on television and in print, that the reason President Bush is standing up to Saddam Hussein's aggression against Kuwait is because of Israeli or Jewish pressure. According to Buchanan, "there are only two groups that are beating the drums for war in the Middle East—the Israeli Defense Ministry and its amen corner in the United States."

That is, of course, a lie and a despicable one. The reason American troops are in Saudi Arabia is because Iraq attacked and vanquished the neighboring state of Kuwait. It is also because Iraq has threatened to attack Saudi Arabia next and establish Iraqi hegemony over much of the Middle East. That is why

the President's policy is backed by the United Nations, by most Arab States, by all our allies, and by the Soviet Union. Certainly, the United States is concerned about Iraq's threats to destroy half of Israel but that is not the reason we are standing tough against Saddam Hussein now. Even Patrick Buchanan would have a difficult time arguing that the Soviets, the Syrians, and the Saudis—to name a few—are backing United States policy out of concern for Israel.

But, then, maybe he wouldn't. As A.M. Rosenthal points out, Mr. Buchanan's views are not necessarily based on a clear reading of the Middle East situation but by his venom about Jews. That is what explains his position on the Iraq situation as it explains his defense of President Reagan's visit to a German cemetery where SS men were buried, his attack on Congress as "Israeli-occupied territory," and his tender sympathy for Nazi war criminals.

I've often been amused at how Buchanan, consistently insensitive to America's minorities and the poor, becomes so worked up over perceived injustices to Nazi murderers. And, as a Catholic, I've been outraged at Buchanan's efforts to heighten tensions between Jews and Catholics at a time when the Vatican has been working to reduce them.

As Mr. Rosenthal points out, we must not be silent in the face of the kind of hatred spewed by Buchanan and others like him. This is not the 1930's. We know where this kind of hatred can lead. It is our obligation to speak out. I commend A.M. Rosenthal for doing just that.

[From the New York Times, Sept. 14, 1990]

FORGIVE THEM NOT THE CASE OF PATRICK
BUCHANAN

(By A.M. Rosenthal)

"There are only two groups that are beating the drums for war in the Middle East—the Israeli Defense Ministry and its amen corner in the United States."

Patrick Buchanan delivered that message on TV. Later in the program he said: "The Israelis want this war desperately because they want the United States to destroy the Iraqi war machine. They want us to finish them off. They don't care about our relations with the Arab world."

In case an interpretation is needed for those whose ears are not attuned to anti-Semitism or do not want to understand what this man is saying, here is mine:

"The Jews are trying to drag us into war. Only Jews want war. Israeli Jews who war to save Israel's hide. American Jews who talk of military action against Iraq want war because it would suit Israeli interests. They are willing to spill American blood for Israeli interests."

All right. Let's start by removing the customarily cowardly shield—"every time somebody criticizes Israel, the Jews cry anti-Semitism."

A lie. Usually American Jews duck the subject. And everybody knows most American critics of Israel are not anti-Semites—but that some sure are. Every American, white or black, Jew, Christian or Muslim should be alert to smell the difference. If anti-Semites achieve power, political or intellectual, they also make life hell for any non-Jew they dislike—for color, religion or sexual and political tastes.

First the Jew, then you.

